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PUBLIC SAFETY COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

A regular meeting of the Public Safety Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on Thursday, June 1, 2017 at 9:30 a.m.

Members:

Legislator Kate Browning - Chairperson
D.P.O. Robert Calarco - Vice Chair
Legislator Tom Cilmi
Legislator Bridget Fleming
Legislator Kara Hahn
Legislator Leslie Kennedy
Legislator Monica Martinez
Legislator William Spencer

Also in Attendance:

Presiding Officer DuWayne Gregory
Legislator Robert Trotta
George Nolan - Counsel/Suffolk County Legislature
Amy Ellis - Chief Deputy Clerk/Suffolk County Legislature
John Ortiz - Budget Analyst/Legislative Budget Review Office
Alyssa Turano - Aide to Legislator Hahn
Liz Sutton - Aide to Legislator Fleming
Liz Alexander - Aide to Legislator Spencer
Jason Hann - County Executive's Office
Mike Sharkey - Chief Deputy Sheriff/Suffolk County Sheriff's Office
Stuart Cameron - Chief of Department/Suffolk County Police Department
John Barry - Deputy Commissioner/Suffolk County Police Department
George Michels - Detective/Suffolk County Police Department
Joe Williams - Commissioner/Fire, Rescue & Emergency Services
Lou Civello - 5th Precinct Trustee/PBA
Bill Doherty - Deputy Inspector/Commanding Officer Police Technology Bureau
Ben Chiaramonte - Photographic Plant Manager/Suffolk County P.D.
Mike Postel - Police Communications System
Greg Miniutti - Chief of Communications, Communications Bureau
Rabbi Steven Moss
Stephen Ruth
Sherman Kearns

Taken By: Lucia Braaten - Court Stenographer

(**The meeting was called to order at 9:41 a.m.**)

CHAIRPERSON BROWNING:

Okay. If we can have all Legislators to the horseshoe, please. Okay. We'll start with the -- welcome to Public Safety Committee, and we'll start with the Pledge of Allegiance, led by Legislator Kennedy.

(**Salutation**)

So sorry about that. We will also stand for a moment of silence for those who defend our country at home and abroad.

(**Moment of Silence**)

Thank you. Okay. Good morning. We do have one Legislator, she is on her way. She said we could go ahead and start. We have one card, Rabbi Moss.

RABBI MOSS:

Good morning, everyone. I'd like to thank Chair Browning for allowing me, giving me the opportunity to come before you this morning. And I do have for the Clerk, I was told to give out to all of you. This is a press release that was issued this past Monday from Legislator Fleming's Office regarding the issue that I'm going to speak about. And I do want to thank Legislator Fleming for bringing this to my attention so that I could share this with you today. Hi, everyone, how is everybody doing, okay?

CHAIRPERSON BROWNING:

Good.

RABBI MOSS:

In a few hours I'll be teaching another session of Stop Bias. Since its inception in 1991, over 550 defendants charged with a hate crime, or where there was an element of hate or bias to that crime mandated by a Judge or Probation came to attend.

Today's student is a 14-year-old who drew a swastika on school property. Most of the defendants, the overwhelming number of them have been teenagers. Let me ask you how in good conscience I can say to these young people, and, yes, to the boy today, that their spoken or written words of hate or their graffiti'd symbols of hate are not acceptable modes of behavior when a 53-year-old adult such as Valerie Smith of Southampton can use the "N" word over and over, and when questioned about this, publicly say that she can use this word because it is protected under the Constitution's First Amendment of freedom of speech. What kind of a message does a Valerie Smith, who, by the way, is running for an elected office in Southampton, send out to others, and particularly to young people?

I think that the framers of the Constitution and the First Amendment did not intend to permit hate speech, and I do believe this with all my heart and soul, especially after dealing with hate crimes and incidents for over 25 years in my various positions I hold in the County. After all, a person is free to play music in

1 their own home, but if that music is above a certain decibel level,
2 that person can be cited by a town ordinance for disturbing the
3 peace. Well, when speech reaches a decibel of intolerance, why
4 can't it be cited as well?

5
6 And so, as I've come before you this morning, and, again, I thank
7 you for this opportunity, I'm not really sure if the purpose of my
8 presentation is anything more than presenting to you what is
9 happening not only in our nation -- please pay close attention to
09:44AM 10 the horrible event that occurred recently in Portland -- and the
11 world, but in our own beloved Suffolk County regarding what I see
12 as the plague of hate speech and its allowance under the First
13 Amendment.

14
15 I have been told that the body, this body, the Legislature no
16 longer makes Sense Resolutions. I wish this could be changed in
17 this case. I am not sure if the County could create a hate speech
18 law like town laws. Unfortunately, they're sometimes called
19 nuisance laws for unacceptable behavior, noise and graffiti on the
09:44AM 20 streets of the town. But if it could, I urge the County
21 Legislature to do just that. People would be cited then.

22
23 And I wish the town or our state could pass a law designating hate
24 speech as a criminal offense as it is in England, Germany and the
25 Netherlands, but I realize that this is a much more difficult task.
26 I, however, look today to this body of Legislators, each and every
27 one of you whom I respect so very much, to take some form of action
28 through this committee and eventually the Legislature to send out a
29 clear message that speech that intentionally disrespects and hurts
09:45AM 30 others is unacceptable. I personally offer the men and women of
31 the Suffolk County Human Rights Commission, all of the towns and
32 the County's Anti-Bias Task Force, and the Center For Social
33 Justice and Human Understanding at Suffolk Community College to
34 assist you in this task.

35
36 I -- and this is why I've come before you today. I, we need your
37 help so that I can say to my next Stop Bias student defendant, "It
38 is not only unacceptable for you to speak or write words and
39 symbols of hate, it is unacceptable for every person, every person
09:46AM 40 in our community, our society and our county." Thank you.

41
42 **CHAIRPERSON BROWNING:**

43 Thank you, Rabbi Moss. I was going to ask -- I guess, really, this
44 Human Rights Commission falls under Human Services.

45
46 **LEG. MARTINEZ:**
47 (Nodded yes).

48
49 **CHAIRPERSON BROWNING:**

09:46AM 50 I was just talking to George about it, about the possibility of, if
51 anyone has an interest, to follow up with Rabbi Moss and the Human
52 Rights Commission to have further discussion on hate crimes in
53 general. I don't know, Monica, if you want to try and do something
54 on that.

1 **LEG. MARTINEZ:**

2 Yes, I would definitely speak with Counsel on this.

3
4 **CHAIRPERSON BROWNING:**

5 Because I believe, George, I'm correct in saying that.

6
7 **MR. NOLAN:**

8 Right. The Human Rights Commission traditionally has been under
9 jurisdiction of this committee, but we changed it this year, and
09:47AM 10 now human rights is under the Human Services Committee. So --

11
12 **RABBI MOSS:**

13 May I say, I came before this committee, first of all, because I
14 want to bring this to the attention of the Legislature and my
15 feelings about this and assessment as quickly as possible. And,
16 also, this is a safety issue. People's well-being, literally, and
17 their psychological well-being, maybe even, God forbid, their
18 physical well-being is at stake here, because, as we all know,
19 words of hate can lead eventually to actions of hate.

09:47AM 20
21 **CHAIRPERSON BROWNING:**

22 Absolutely. And we know that happened under the former
23 administration, and I'm not going to go into it any further.

24
25 **RABBI MOSS:**

26 Amen.

27
28 **CHAIRPERSON BROWNING:**

29 I appreciate your comments.

09:47AM 30
31 **RABBI MOSS:**

32 Thank you very much. Thank you, everyone.

33
34 **CHAIRPERSON BROWNING:**

35 So we have no more cards. Does anyone -- oh, okay, Mr. Ruth. You
36 can give it to her, go ahead.

37
38 **MR. RUTH:**

39 I guess I'll just leave it here.

09:48AM 40
41 **CHAIRPERSON BROWNING:**

42 You can go ahead and start. She'll take it when --

43
44 **MR. RUTH:**

45 Okay, great. Thank you.

46
47 **CHAIRPERSON BROWNING:**

48 Okay.

49
50 **MR. RUTH:**

51 What I handed out was the credentials of a traffic signal
52 technician, that he found me after I posted the video of the
53 traffic signal device in the intersection of Commack Road and the
54 Long Island Expressway Service Road North, where the gentleman was
55 killed three days ago, and there was no all red clearing time.
56 Mr. Cilmi was commenting on the fact that we need longer all red

1 clearing times. There was no all red clearing time. There was
2 short yellow lights in both directions. And the gas station
3 attendants at both gas stations at that intersection told me that
4 there's accidents there daily. So these intersections are designed
5 for revenue. We know that the lights were shortened.

6
7 I brought a traffic signal technician with me, because he will
8 attest to the fact that the lights were manipulated for revenue.
9 And, furthermore, I handed out a FOIL request that was denied when
09:48AM 10 we had requested the data from the Red Light Camera Program used to
11 compile the annual record from 2010 to 2016, which was denied by
12 the County Attorney's Office. I'm going to ask you, was it this
13 Legislative branch's intent to hide all the data being used to
14 compile the reports, as well as the vendor who compiles the report
15 and issues the report? Was it this Legislative branch's intent to
16 hide that from the public disclosure? Because how can you hide the
17 data used to compile the annual reports from the public disclosure
18 with a safety program if it's supposed to make us safer? We should
19 be able to see it in black and white.

09:49AM 20
21 The fact that the data is being denied from public disclosure is
22 clear evidence that the accidents skyrocketed, accidents -- don't
23 smile, someone died three days ago. It's not laughable. It's not
24 something we could laugh at, Kara Hahn. Don't laugh. A gentleman
25 died three days ago. I brought a traffic signal technician with me
26 that said it's criminal intent. It was criminal intent to steal
27 our money that got this gentleman killed. Don't laugh about it,
28 it's not laughable.

09:50AM 29
30 **LEG. HAHN:**
31 No one is laughing at this.

32
33 **MR. RUTH:**
34 I'm asking this Legislative group --

35
36 **LEG. HAHN:**
37 You may believe there's an argument.

38
39 **MR. RUTH:**
40 Was it their intent -- was our intent to hide the date from --

41
42 **LEG. HAHN:**
43 It's not appropriate.

44
45 **CHAIRPERSON BROWNING:**
46 Okay. First of all, you still have some time, but do not accuse
47 this Legislature of criminal intent. You're wrong. And I'm going
48 to -- this is a letter that was sent to the County Exec's Office.
49 We did not receive any of this. Okay? So you can continue.

09:50AM 50
51 **MR. RUTH:**
52 Okay. Well, this is what I'm asking. Why are we, the public, not
53 allowed to analyze or view any of the data used to compile the
54 reports, nor are we allowed to know who compiles the reports, who
55 issues the reports? It's gone too far. Too many people have died
56 now, too many people have died. And when I bring a traffic signal

1 engineer with me, it's because he reaches out to me and says that
2 intersection is incorrectly designed, it's not about safety.
3 Another person died. Like how many people have to die before you
4 guys act? I'm not -- I don't care about the time. I'm being
5 honest. Like just because I'm me doesn't mean that you should
6 smile and like ignore me and make a joke out of it. It's not
7 funny, people are dying.

8
9 **LEG. HAHN:**

09:51AM 10 I'm not smiling.

11
12 **CHAIRPERSON BROWNING:**

13 Thank you, Mr. Ruth. Question.

14
15 **LEG. TROTТА:**

16 Just I want to know, you FOILED the raw data from the traffic
17 cameras, and you FOILED who makes the report and they didn't
18 respond to you?

19
20 **MR. RUTH:**

21 Yeah, they denied it, and they said it's -- being that it's -- the
22 TVPA is the branch of the judiciary, that they don't have to answer
23 us. I handed it out, 18 copies were given out, and as well as the
24 credentials of the traffic signal technician who I brought with me
25 to testify.

26
27 **LEG. TROTТА:**

28 Okay. That's what I wanted to know, is that you FOILED for the raw
29 data and you were denied, and that was based upon a judicial -- and
09:51AM 30 you also FOILED who makes the report and they denied you?

31
32 **MR. RUTH:**

33 Yeah, they won't tell us who makes the report, nor will they tell
34 us any of the data used to compile -- they compile to compose the
35 report.

36
37 **LEG. TROTТА:**

38 Do we know, through Counsel, who makes the report?

39
09:52AM 40 **MR. NOLAN:**

41 I'm assuming it's the agency that makes the report.

42
43 **LEG. TROTТА:**

44 So wouldn't the data that they use be FOILable?

45
46 **MR. NOLAN:**

47 I'm just -- I'm looking at this letter for the first time that went
48 to an attorney, David Raimondo. I guess David Raimondo requested
49 it and made a FOIL request, and they said that the Parking Agency
09:52AM 50 is an arm of the courts and is exempt of the requirements of FOIL.
51 That was the basis of the determination from the County Attorney's
52 Office. Of course, Mr. Raimondo had the -- you know, he could
53 appeal that decision to the courts --

54
55 **LEG. TROTТА:**

56 It's still concerning.

1
2 **LEG. TROTТА:**

3 -- and bring an Article 78 if he wanted to.
4

5 **LEG. TROTТА:**

6 It's 2017 and we don't have the 2015 accident data. You know,
7 that's a little concerning to me. And, you know, based upon the
8 2013 to 2014 statistics, they were not good. So, you know, can we
9 ask through the Chair to have the gentleman in charge of -- I think
09:53AM 10 I asked this last time -- the gentleman in charge of TVB come here
11 and answer these questions?
12

13 **CHAIRPERSON BROWNING:**

14 I have been in touch with Mr. Margiotta to come to a committee
15 meeting. I'm not 100% sure which one, but he is going to be coming
16 to a committee meeting. And I don't disagree, if information is
17 being FOILED, that it should be provided.
18

19 **LEG. TROTТА:**

20 Especially if they're analyzing -- if they're making a report and
21 they're not giving you the information that they made the report
22 from, it's troubling.
23

24 **CHAIRPERSON BROWNING:**

25 Well, we can certainly -- like I said, he will be at committee, so
26 it will give us an opportunity. I think we kind of went through
27 this before about them being an arm of the court and not having to
28 provide us with everything. But I'm not going to get into a debate
29 about it now, but we can certainly ask the questions.
30

31 **MR. RUTH:**

32 The only other thing I wanted to bring up is that when Nelson and
33 Pope was contracted to do this, the plans, nobody would contract an
34 engineering company to do plans and assume that they're not going
35 to come back without stamps and seals. Like I order this stuff all
36 the time and I get charged top dollar. And any time I order it, if
37 it ever came in and I went down to Brookhaven, and I said, "Here's
38 my plans," or "here's my surveys," they would laugh in my face, and
39 throw it in my face and say, "Get out of here." Like how could --
09:54AM 40 how could it be okay for government to do that, but I can't -- I
41 can't --
42

43 **LEG. TROTТА:**

44 Wait a minute. You're saying that you got stuff from Nelson and
45 Pope?
46

47 **MR. RUTH:**

48 Yeah. Everything that -- everything that was used to design the
49 intersection and the camera systems --
50

51 **LEG. TROTТА:**

52 Okay.
53

54 **MR. RUTH:**

55 -- came from Nelson and Pope.
56

1 **LEG. TROTТА:**

2 All right. So -- and you're saying it's not stamped.

3
4 **MR. RUTH:**

5 Nothing has an engineer's stamp on it with a signature.

6
7 **LEG. TROTТА:**

8 Okay. I think -- Counsel, I think I asked you last time to look
9 into that.

09:54AM 10

11 **MR. NOLAN:**

12 I apologize, yes, yes.

13
14 **LEG. TROTТА:**

15 Because if -- you know, he makes a very valid point that, you know,
16 anybody else who's doing design work has to have a stamp on their
17 information. Now is this because they don't want to take liability
18 when there's over 100% -- you know, this is, you know --

09:55AM 20

21 **MR. NOLAN:**

22 No, no.

23
24 **LEG. TROTТА:**

25 This is something that we sit here, months can go by, and, you now,
26 maybe this would validate this, that this guy is right, and that,
27 you know, there's accidents. I know in my -- based upon the
28 information I got from intersections in my district, it was over
29 100% increase and we did nothing. So if this is about safety, it's
30 garbage, it's a lie.

09:55AM 30

31 **CHAIRPERSON BROWNING:**

32 Okay. And I see Chief Cameron is here, and I know that at a
33 previous meeting -- I'm not going to talk about it now, I'm sorry,
34 I'll get to it shortly. I think, Legislator Kennedy, you had a
35 question. This is Q and A time.

36
37 **LEG. KENNEDY:**

38 Did Mr. Raimondo -- I see you CC'd Mr. Freeman -- did he receive a
39 response back from Mr. Freeman?

09:55AM 40

41 **MR. RUTH:**

42 Not that I'm aware of. I also did a FOIL request myself to the
43 Suffolk County Police Department for all accident reports involving
44 fatalities that took place in front of red light camera
45 intersections and it never got responded to.

46
47 **LEG. KENNEDY:**

48 Thank you.

09:56AM 50

51 **CHAIRPERSON BROWNING:**

52 Okay. No more questions. Thank you, Mr. Ruth. I have no more
53 cards. Is there anyone else in the room that would like to speak?
54 Okay. If you'd like to come up. For the record, I need you to put
55 your name on the -- on the record.

1 **MR. KEARNS:**

2 Hi. My name is Sherman Kearns. I have been a resident of Suffolk
3 County for 47 years. I am an IS -- IMMS Certified Traffic Signal
4 Technician, Level I. I am here today to express my displeasure
5 with the County's implementation of the red light cameras.

6
7 I'm not a fan of people running red lights, but I'm also not a fan
8 of municipalities cheating the system for revenue. I find no fault
9 with the workers installing the system, as the contractors are
09:56AM 10 simply installers working under the direction of the engineers.
11 What I do find problematic to me is that the camera lights seem to
12 be short-cycling to the established minimum yellow clear the
13 intersection times the three seconds.

14
15 My question to the Legislature is who is the engineer that is
16 determining the yellow signal light times? That's not determined
17 by the workers, but determined by the engineers. And who is the
18 responsible party that's going to determine the times of the yellow
19 light cameras for the clear of the intersection? Bottom line is
09:57AM 20 who's taking the responsibility for this?

21
22 **CHAIRPERSON BROWNING:**

23 Are you done?

24
25 **MR. KEARNS:**

26 Yes.

27
28 **CHAIRPERSON BROWNING:**

29 I have -- okay. I have a question for you. So you're a traffic
09:57AM 30 signal technician.

31
32 **MR. KEARNS:**

33 Yes.

34
35 **CHAIRPERSON BROWNING:**

36 But you're not the one who makes the determination on the timing of
37 the lights.

38
39 **MR. KEARNS:**

40 No.

41
42 **CHAIRPERSON BROWNING:**

43 That's an engineer.

44
45 **MR. KEARNS:**

46 Engineers do. We're just --

47
48 **CHAIRPERSON BROWNING:**

49 You're not an engineer.

50
51 **MR. KEARNS:**

52 We're just installers.

53
54 **CHAIRPERSON BROWNING:**

55 Okay. Who are those engineers? Are they Suffolk County employees,
56 or are they --

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MR. KEARNS:

I don't know. I don't know who specifically. You guys put the bid packages out. You have plans and specifications for your bid packages and it should be in there.

CHAIRPERSON BROWNING:

Okay. I just wanted to see if you knew who those engineers were that --

MR. KEARNS:

No.

CHAIRPERSON BROWNING:

-- did the timing. Okay. Thank you.

MR. KEARNS:

But somebody should take responsibility for this.

CHAIRPERSON BROWNING:

Okay. I do believe that there -- it's State DOT that makes the determination on the timing. So --

MR. KEARNS:

It needs to be looked into.

CHAIRPERSON BROWNING:

With that, I don't think -- anymore questions? Any questions? No. Okay. Thank you.

Okay. And, for the record, and I don't know if Chief Cameron is prepared to want to respond to it, I know when we had the Police Commissioner here, there was some discussion about the traffic lights, and when accidents occur, especially if there's fatalities, that that is something that the Police Department looks like -- at, is, you know, the traffic light, the timing on the lights. I believe that is something that you guys look at; am I correct? I want to --

CHIEF CAMERON:

Good morning, everyone.

CHAIRPERSON BROWNING:

And it's more -- it's not just if it's a red light camera, any traffic light.

CHIEF CAMERON:

We assigned someone to our Highway Patrol Bureau to do a strategic analysis of all fatal and serious motor vehicle accidents, so she actually goes out to the scene of every fatal motor vehicle accident. And, basically, what she's looking for is the three E's, education, enforcement and engineering. So if she does find what she believes to be an engineering issue, she communicates with either the State, the County or the Town and asks that -- points it out to them as an issue that they may be able to address, which I imagine would include the traffic light cycling.

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CHAIRPERSON BROWNING:
Okay. So if there was a fatality at a traffic light where there's a red light camera, so your Highway Department would be looking at that and determining if maybe there needs to be an adjustment on that light?

CHIEF CAMERON:
She's not a traffic engineer.

CHAIRPERSON BROWNING:
Right.

CHIEF CAMERON:
I mean, she can certainly make recommendations, but, you know, she doesn't have the expertise in that.

CHAIRPERSON BROWNING:
Do you -- okay. Do you -- would you be able to provide us with information on specific red light cameras where you have made recommendations on changes?

CHIEF CAMERON:
I mean, I can certainly look to see if she's made any recommendations, but, again, that's not our program and we don't administer it.

CHAIRPERSON BROWNING:
Right.

CHIEF CAMERON:
We don't make adjustments to the program, that's TPVA that runs it.

CHAIRPERSON BROWNING:
Right. But if you've made recommendations, I would assume you would have that.

CHIEF CAMERON:
I can see if she has any recommendations. I'll ask if she has any recommendations regarding red light camera intersections that had fatal motor vehicle crashes at them.

CHAIRPERSON BROWNING:
Yeah. If you can provide that with us, I would appreciate it.

CHIEF CAMERON:
Sure.

CHAIRPERSON BROWNING:
Okay. Thank you.

LEG. TROTТА:
I have a question, Chief.

CHAIRPERSON BROWNING:
One more question.

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LEG. TROTТА:

You know, in my district there's three cameras where the accidents increased over 100%. And the Commissioner was here the other day and I asked him, you know, because, you know, we reduced the number of alarms. So if there's accidents increasing at 100%, we both know that handling an accident takes a lot more time than handling an alarm. And he seemed unconcerned of the fact that this was a red light camera -- you know, that he didn't institute that program, so he had nothing to do with it. Is it the Department's policy that their -- they don't care that there's an increased number of accidents at red light camera locations?

CHIEF CAMERON:

We absolutely care about motor vehicle crashes, and, in fact, due to our efforts, motor vehicle crashes are down overall.

LEG. TROTТА:

I'm talking about the 100% increase at the locations in my --

CHIEF CAMERON:

I don't have that data in front of me.

LEG. TROTТА:

Oh, I have the data, I'd be more than happy to provide it to you. So we're wasting Police Officers' time handling accidents when they could be outdoing other things, and it seems, according to the Commissioner, that was not his concern.

CHIEF CAMERON:

I wouldn't equate responding to a false alarm, which I consider a total waste of time, to responding to a motor vehicle accident. That's part of our job and responsibility.

LEG. TROTТА:

Well, if the motor vehicle accidents were increased 100% once these cameras were in, wouldn't there be some concern for the Police Department to say, "Hey, maybe these cameras are doing something wrong"?

CHIEF CAMERON:

If you have the data, I would like to --

LEG. TROTТА:

I've provided it to --

CHIEF CAMERON:

-- go ahead and analyze it.

LEG. TROTТА:

Actually, it's in the 2014 report.

CHIEF CAMERON:

Okay. I'll take a look at it.

1 **LEG. TROTТА:**

2 Okay. It's -- I can just give you the -- I can -- actually, as a
3 matter of fact, there's 100 camera locations, 46 of them had
4 increase in accidents, and the ones in Commack had increases of
5 over 100% in accidents.

6
7 **CHIEF CAMERON:**

8 The analogy, they were freeing up time from the false alarm
9 programs, some of it, including moving violations, were up last
10 year, and fatal motor vehicle crashes were down 30%, in the
11 backdrop, nationally, where they were up 10%. So for the time --

12
13 **LEG. TROTТА:**

14 The fatalities in Suffolk County were down 30% last year?

15
16 **CHIEF CAMERON:**

17 Correct, correct, just under 30%, 29. something percent, just under
18 30%, where nationally they were up 10%.

19
20 **LEG. TROTТА:**

21 Are you concerned that between 2013 and 2014 there was 100%
22 increase of fatalities at the locations where 50 new cameras were
23 added?

24
25 **CHIEF CAMERON:**

26 I'm concerned about all motor vehicle crashes. That's why I want
27 to free up additional time for our officers to work on that and
28 bring crashes down to make our roads safer.

29
30 **LEG. TROTТА:**

31 Okay. So that you'll be looking at the locations in my district
32 where there's over 100% increase, okay.

33
34 **CHIEF CAMERON:**

35 Absolutely, we'll take a look at that, yes.

36
37 **LEG. TROTТА:**

38 Thank you.

39
40 **CHAIRPERSON BROWNING:**

41 Thank you, Chief. Again, I have no more cards. Is there anyone
42 else in the room who would like to speak? Okay. Thank you. No
43 more cards.

44
45 There were a couple of items. I know, Commissioner Williams, I
46 know that you needed to leave. Was there anything you'd like to
47 come up on? I know there was an issue, a bill in -- it's actually
48 in Ways and Means. But since you're here, I don't want to have
49 you -- I'd prefer you not have to come back to Ways and Means. If
50 you'd like to speak on that one, and I'm try to find it right now.
51 I think you know the number, I sent it to you.

52
53 **COMMISSIONER WILLIAMS:**

54 Yes, it's 1417, being handled under Ways and Means. I appreciate,
55 Madam Chair, letting me talk this morning. The both committees, it
56 does cross over on both committees.

1
2 What this resolution does, it actually authorizes FRES to enter a
3 contract -- a lease with -- for our warehouse, where we actually
4 store all our emergency supplies. What it is, is there was a
5 question I have heard from a couple of Legislators. There's a
6 question about the cost of the -- this warehouse. I want to go on
7 record as saying the paperwork that you've seen on it is that this
8 one -- this is 100% grant funded, no cost to the County. It's a
9 five-year lease. We're exercising the first year, with four more
10 years of options on it.

10:04AM

11
12 The reason why it isn't mentioned anywhere in the paperwork about
13 County funds is, like anything else, the grants right now are being
14 looked at at the Federal Government. We're not sure what's going
15 to have our grants in the future. We do have grant money allocated
16 and put aside right now for the coming year. We do have an option
17 for the next four years after that, if need be, if -- this is a
18 very important asset to us, that if the grant money does go away,
19 we may have to go to operating funds, but that is an option that we
20 can opt out next year at the end of this lease. So I just wanted
21 to clarify that, that it is 100% grant funded. We intend to keep
22 it grant funded. We intend -- that's a priority to us. We have
23 millions of dollars worth of supplies and everything else that we
24 need in time of emergency.

10:05AM

25
26 **CHAIRPERSON BROWNING:**

27 Okay. And I think there was one other item that you were going to
28 talk about to do with your communications; yes, no? I don't see --

10:05AM

29
30 **LEG. FLEMING:**

31 Can I ask him about that, Ways and Means?

32
33 **CHAIRPERSON BROWNING:**

34 Sure, go head.

35
36 **LEG. FLEMING:**

37 Good morning, and I apologize for not being able to be here on
38 time. Commissioner, what's happening in this building right now?

10:05AM

39
40 **COMMISSIONER WILLIAMS:**

41 What's happening, we've had this building since 2013. We -- right
42 now, it is a -- it's a warehouse for us. We have right now
43 supplies in there, things like water, heated meals, vehicles,
44 boats, generators anything we would need for an emergency type of
45 thing. All 90% of those items were purchased with Federal grant
46 money. We keep on replenishing it. It is a full warehouse. Right
47 now we have no area to store that ourself in County property.

48
49 **LEG. FLEMING:**

50 So -- but what sort of disruption to the normal operations of FRES
51 would happen if we were to decide not to renew this lease?

10:06AM

52
53 **COMMISSIONER WILLIAMS:**

54 We -- right now, there's no facility that I know of in the County,
55 because we would look at that first, that could house all the
56 equipment we have right now without going out and purchasing or

1 building a new building.

2

3 **LEG. FLEMING:**

4 Okay. I think that's --

5

6 **COMMISSIONER WILLIAMS:**

7 The current building we're in, we actually even looked at it with
8 the landlord, he'd be willing to sell it to us for a little over a
9 million dollars.

10:06AM 10

11 **LEG. FLEMING:**

12 All right. Well, we won't do that. But thank you for that input,
13 that's what we need to know. Thanks.

14

15 **CHAIRPERSON BROWNING:**

16 Okay. And that -- I'm trying to remember, because I -- is this the
17 same grant that, if you remember a lot of years ago, there was a
18 press conference with Senator Clinton at the time and Congressman
19 King. Is that the same funding that they were providing?

10:07AM 20

21 **COMMISSIONER WILLIAMS:**

22 No. Some of that material is back into this warehouse, but at that
23 time, that was FEMA, and it was directly supplies given from FEMA
24 directly to us, and that was mainly in Conex boxes. We still have
25 the Conex boxes, but they're empty. There was items in it. We
26 centralized everything. It's a -- it's a very secure place.
27 Suffolk County P.D. has it on their route. We do not -- there's no
28 signs. It's a very secure place. We don't advertise too much the
29 area, there's no signs on it, and that's how FEMA wants us to keep
30 it.

10:07AM 30

31

32 **CHAIRPERSON BROWNING:**

33 Okay. Thank you. No more questions? Any other items of interest?
34 I know we'll have you come with the command post, hopefully, in the
35 July meeting.

36

37 **COMMISSIONER WILLIAMS:**

38 Yes, we'll be here at the July meeting to show the new command post
39 that we recently put in into service.

10:08AM 40

41 **CHAIRPERSON BROWNING:**

42 Okay. Thank you.

43

44 **COMMISSIONER WILLIAMS:**

45 Thank you.

46

47 **CHAIRPERSON BROWNING:**

48 Have a good day. And I don't believe we have anyone here from
49 Probation. So with that, we'll move on. We were going to have an
50 Executive Session, but I believe that there's -- much of the
51 conversation we could have on the record.

10:08AM 50

51

52

53 We have our Deputy Police Commissioner, John Barry. The Internal
54 Affairs reports are being provided with -- to us. Basically, just
55 to kind of give us an update on how things are going.

56

1 **DEPUTY COMMISSIONER BARRY:**

2 Good morning.

3

4 **LEG. SPENCER:**

5 Good morning.

6

7 **CHAIRPERSON BROWNING:**

8 Good morning.

9

10:08AM

10 **DEPUTY COMMISSIONER BARRY:**

11 So just to give everybody an update of where we're at with our
12 Internal Affairs. As everybody knows, is when Commissioner Sini
13 came in last year, we fully staffed the Internal Affairs Bureau.
14 Prior to that, it was not staffed appropriately. We now have one
15 Deputy Chief, one Inspector, three Captains and 16 Investigators in
16 our Internal Affairs Bureau. Last year, we closed 276 cases. That
17 is a record. In the last ten years we haven't closed that many
18 cases in one year. The men and women back in Internal Affairs have
19 been working very, very hard to get that done. The Justice
20 Department actually congratulated us on what a great job we've been
21 doing in Internal Affairs, and, hopefully, in their next visit they
22 will be closing out the DOJ Agreement as it pertains to I.A. So we
23 see in the very near future that that piece of the DOJ Agreement
24 will be closed out.

10:09AM

25
26 **CHAIRPERSON BROWNING:**

27 Can I ask you, when will they come back out again?

28

29 **DEPUTY COMMISSIONER BARRY:**

30 They come quarterly, so they should come back out, I believe --
31 that's not quarterly, it's twice a year. So they came in April, I
32 think they'll be here in October.

10:10AM

33
34 **CHAIRPERSON BROWNING:**

35 Okay.

36

37 **DEPUTY COMMISSIONER BARRY:**

38 If I remember correctly. So by -- we hope to see by the end of the
39 year that this is closed.

10:10AM

40
41 We've made a lot of other changes to Internal Affairs, just as a
42 general sense, about notifying the public, letters in English and
43 Spanish going out to the complainants. So after the cases, one of
44 the complaints we've had from meeting with the public is that they
45 don't know where their case stands. So they make a complaint and
46 they never hear anything else. So we've implemented a system where
47 as soon as they make the complaint, within 72 hours, the
48 Investigators who has the case will reach out to them, either by
49 email or by phone, and try to set a meeting up with them to get all
50 the details of their complaint. They will then be sent a letter
51 stating who the Investigator is, his phone number, so there could
52 be any other contact that they need, they can have that contact and
53 have the Investigator's numbers.

10:10AM

54
55 After that, after the case is open for 180 days, that complainant
56 will be sent another letter advising them that their case is still

1 open, if it hasn't been closed yet, and advising them who the
2 Investigator is. If there was a change in Investigator or anything
3 is like that, they'll be notified of that. What they'll do then
4 afterwards is every 90 days after the first 180 days, they'll be
5 sent an additional letter to let them know that the case is still
6 open, and when the case is closed, they'll get a letter as well
7 stating that the case has been closed. So that's one changes --
8 that's one change that we made after speaking with the public, and
9 that was one of their complaints, that they just would make a
10 complaint and they would never hear anything again. So that's one
11 of the changes that we made, which I think was good.

10:11AM

12
13 One of the other things that we did is we created business cards in
14 English and Spanish that we hand out at community meetings, they're
15 at the precincts, how to make a complaint, what the number is. We
16 have a few different numbers. One thing we did change was we
17 created an 888 number. So not only could the public make an
18 anonymous tip, a police officer or supervisor could make an
19 anonymous tip on another officer. There was no real way to do that
20 anonymously before. But now that we have this 888 number set up,
21 it's a totally anonymous tip line.

10:12AM

22
23 That caller who would call in would be given a number. For an
24 example, if they're an officer that observed another officer
25 assaulting a prisoner and he wanted to make a complaint, but he
26 didn't want to come out forward, and it was something difficult for
27 him to do, he would be able to call the number, and then if he ever
28 got called in, he would be able to provide that number to the
29 Investigators to show that he did do what he was supposed to do by
30 making the -- making the complaint. So that's one of the other
31 changes that we made.

10:12AM

32
33 We've also created the Critical Incident Team. So the Critical
34 Incident Team goes out on any response where a police officer is
35 involved in conduct, whether it be a police involved shooting, an
36 assault of a prisoner, anything that could be construed as
37 criminal. This Critical Response Team goes out and they work with
38 the Detective Bureau. They're not the lead investigator on the
39 case, because it is a criminal side of the investigation, so we're
40 kind of walled off of that, but we do have a Captain and two
41 Investigators that go out to any of these scenes and basically
42 oversee what's going on. And if they have any requests of
43 additional pictures, or something else they'd like to see in crime
44 scene, measurements or anything like that, they can make the
45 request of the Detective Bureau Supervisor at the scene and we can
46 get those, those type of things for Internal Affairs for our case
47 going forward.

10:13AM

48
49 Along with the business cards that we hand out at the community
50 meetings, we've also put two by -- two-foot by three-foot signs in
51 every precinct. So every lobby, in English and Spanish, has a
52 replica of the business card. It's blown up and big and we framed
53 them, so they're actually hung in the lobby. And we also have them
54 hung in the Detective Squad, where any prisoner that feels that
55 they were mistreated, or anything like that, while they're at the
56 precinct, they're able to see that sign and be able to make a call,

10:13AM

1 an email, mail us a letter, however they wanted to make the
2 complaint. So that's another change that we made. There was no
3 real way for those people to do that.

4
5 We started to do something else that I think was pretty important.
6 One of our big complaints in Internal Affairs was how the desk or
7 people at the desk were treating the public. We always get
8 complaints that the officer was rude, or that they called on the
9 phone and, you know, didn't get proper service. So we started to
10:14AM 10 do undercover calls to the precincts, and we actually used a --
11 used somebody to go into the precincts in an undercover capacity
12 wearing a camera and actually videotape how the desk people handled
13 them. And that particular person was speaking in Spanish. We made
14 sure that they used the language line, or if the officer at the
15 desk was a Spanish-speaker, that he was fluent in Spanish. So that
16 was something else that we changed that was very successful. We've
17 only found, believe it or not, one precinct that had an issue with
18 the language line. The officer actually spoke Spanish, but it
19 wasn't very fluent Spanish, so they had a little bit of difficulty
10:15AM 20 communicating, but we've corrected that.

21
22 So the timelines I spoke about. Training: One of the other things
23 that the I.A. people were not getting was enough training. So we
24 have a bunch of different Internal Affairs schools around the
25 country. New York City has opened up their doors and let us into
26 their I.A. school. It's a three-week school. So we've been
27 sending our personal there to be trained, which has been very
28 successful. And the Investigators obviously liked the -- liked the
29 training. They learn a lot at these things, so it's good for them
10:16AM 30 and good for their careers.

31
32 We have weekly I.A. meetings. The Chief and the Inspector meet
33 with me and Chief Cameron weekly. We go over the stats, all the
34 new cases coming in. If there's any issues, anything is going on
35 besides that, they brief us on those things weekly. So to date,
36 we've closed 136 cases in 2017, compared to 112 last year at this
37 time. So we're definitely ahead of the pace. We're making
38 tremendous strides in getting that backlog that was there before
39 cleaned up. Hopefully, by the end of this year, we will be in
10:16AM 40 really good shape. There'll probably be only a few cases pending
41 after this. We've been making really strong strides in getting
42 that stuff done.

43
44 One of the other things that we put into effect was the language
45 line checks. So when someone calls 911 and the call goes out to
46 the cars, and it's marked as an "L" call, a lot of times the
47 officers get on scene and they feel that they could communicate
48 with the person and they don't need it, so they basically get rid
49 of the "L" call. But what we have is a Spanish-speaker in I.A. who
10:17AM 50 is actually calling the complainants back and asking them, like,
51 all right, "When the officer came, were you able to communicate
52 with them?" "Was it done properly?" "Did he need" -- "Did you
53 need more language line and they refused?" So we're basically
54 going back and checking all these "L" calls to make sure that the
55 officers that are handling these things are handling them properly.
56

1 The other thing that's assigned to I.A. is the Field Audit Unit.
2 Field Audit has done last year that -- you know, so people out line
3 of duty, that are injured in the line of duty and they're out sick,
4 we check up on them. People that are out regular sick, we check up
5 on those as well, and the relief point checks. So guys come into
6 work late, leaving early, that kind of stuff. So in 2016, we did
7 152 relief point checks around the County at all different 43's
8 around. Did 275 401 checks on 58 different officers, and 300 --
9 I'm sorry, 127 checks on the 301 people. Out of those numbers,
10 there was nine cases referred back to MEU, to the doctors to have a
11 second look at these people to try to get them back to work, and
12 they were successful in nine times getting those people back to
13 work, which was -- which is definitely a good thing.

14
15 That's pretty much in a nutshell of all of our I.A. accomplishments
16 in the last year. Like I said, we're still moving forward to clear
17 up the backlog. But, hopefully, by the end of the year, we'll be
18 in a much better place with the backlog.

19
20 **CHAIRPERSON BROWNING:**

21 Okay. Thank you. And I have to say, I do see an improvement in
22 clearing up that backlog. Now I made sure that everybody had a
23 copy of what we got sent. I think it was about a month or two ago.
24 Oh, I'm sorry, you came in. Did everybody get one?

25
26 **LEG. HAHN:**

27 No.

28
29 **CHAIRPERSON BROWNING:**

30 Uh-oh. I thought we gave you one. I hope I got enough. I got one
31 left.

32
33 So, of civilian complaints -- because, you know, I always say
34 nobody wants to be arrested. So, you know, many times people will
35 make complaints, they're not happy with the police officers, and
36 they get arrested, and sometimes you get complaints. But of the --
37 of the complaints, civilian complaints, how many of them would you
38 say are substantiated?

39
40 **DEPUTY COMMISSIONER BARRY:**

41 I couldn't give you an exact number, but I will tell you that in
42 2016, 12 officers were served with charges and specs, so those
43 cases were substantiated. I couldn't tell you the overall,
44 because, obviously, they're not all charges and specs. Some are
45 command disciplines that go back to the commands. I do not know.
46 I could get you the number, but I don't know off the top of my head
47 the exact number.

48
49 **CHAIRPERSON BROWNING:**

50 Okay. That would be interesting to know, because, you know, like I
51 say, I know that's -- we'll hear about there's "X" amount of
52 complaints, but generally it winds up that most of them are
53 unsubstantiated. And I think it's important that we know what the
54 facts are. Does anybody else have any questions?

1 **LEG. CILMI:**

2 I do.

3
4 **P.O. GREGORY:**

5 (Raised hand).

6
7 **CHAIRPERSON BROWNING:**

8 Presiding Officer.

9
10 **P.O. GREGORY:**

11 Thank you, Madam Chair, and thank you, Deputy Commissioner. I want
12 to commend you on the good work that you've been doing. But I
13 wanted to get some, I guess, more clarification on the backlog. I
14 remember when myself, I think it was Legislator Browning, got
15 Legislator Hahn there, there were several of us met with you and
16 the Commissioner when you first came in, and if I recall, it was
17 like 200-and-some a year or more in backlog. I see where we have
18 between 7 and 12 months, we had 59 open cases. We have about --
19 oh, I'm sorry. Well, let's say we have over 100, right, I guess --
20 can I say that, that are more than 18 months?

21
22 **DEPUTY COMMISSIONER BARRY:**

23 Yes. And so what we did moving forward, some of the cases when we
24 came in were very old, some of them from 2010. Obviously, those
25 cases we kind of inherited when we get here, so we're working
26 backwards. So what we're doing is the new cases that come in,
27 we're making sure those cases are done in the 18 months, because we
28 can still give discipline out for those cases. The other cases
29 that are out of the statute, we went through them, that the serious
30 ones, obviously, we looked at immediately, and the less serious
31 ones got put on the become burner, working backwards to make sure
32 that we don't have that happen again, that any of these cases get
33 out of the 18-month window.

34
35 **P.O. GREGORY:**

36 Right. But there is a -- isn't there a time frame that if there
37 are charges, I think it's under a --

38
39 **LEG. HAHN:**

40 That's the 18 months.

41
42 **P.O. GREGORY:**

43 Is that the 18 months? I thought it was --

44
45 **DEPUTY COMMISSIONER BARRY:**

46 Yeah, that's the 18 months.

47
48 **P.O. GREGORY:**

49 Oh, okay, okay.

50
51 **DEPUTY COMMISSIONER BARRY:**

52 So some of the cases that are already expired, the 18 months, that
53 are still not closed, the ones we inherited when we got here, we're
54 looking at those, but, obviously, they're on the less priority
55 list, because we're looking at the newest ones first that we can
56 actually still discipline officers on.

1
2 **P.O. GREGORY:**
3 Okay. Yeah, because that's still a significant number --

4
5 **DEPUTY COMMISSIONER BARRY:**
6 Yes.

7
8 **P.O. GREGORY:**
9 -- that are more than 18 months. So --

10:23AM 10
11 **DEPUTY COMMISSIONER BARRY:**
12 And as to date, there has been no cases since us getting there that
13 have been over the 18 months. We've -- all the cases that we've
14 had that were in the 18 months when we got there and to date now,
15 there is no cases that expired the 18 months that weren't closed.

16
17 **P.O. GREGORY:**
18 Right. Well, you guys haven't been there 18 months yet either.

19
10:23AM 20 **DEPUTY COMMISSIONER BARRY:**
21 Right, but the ones that we actually had with -- that were in. So
22 the ones that came in 15, let's say October 15, those ones have
23 been closed inside the 18 months.

24
25 **P.O. GREGORY:**
26 Okay, okay. Yeah, I just wanted more clarification. And those
27 that are more than 18 months, like how far out? Because, if I
28 recall, some were four years old. We still have --

29
10:23AM 30 **DEPUTY COMMISSIONER BARRY:**
31 Yeah. So I can kind of give you the rundown of it by year, if you
32 wish.

33
34 **P.O. GREGORY:**
35 Okay, yeah.

36
37 **DEPUTY COMMISSIONER BARRY:**
38 So there's one case in 2010, but that was a criminal investigation
39 initially, and it did not go criminally, so now it's an I.A. case.
10:24AM 40 There's five from 2011, 16 from '12, '13, we have 14 cases in '13,
41 28 in 2014, and 63 in '15.

42
43 **P.O. GREGORY:**
44 Okay. And then the other question I had was you said the Critical
45 Alert Team or --

46
47 **DEPUTY COMMISSIONER BARRY:**
48 Critical Incident Team.

49
10:24AM 50 **P.O. GREGORY:**
51 Critical Incident Team. So that's -- if there's an incident -- and
52 this is from my vast experience of watching Law and Order.

53
54 *(*Laughter*)*

55
56 So if there is an incident, a shooting, an officer-involved

1 shooting, you're sending out Detectives or somebody just to make
2 sure it's a legitimate shooting, there's an investigation.

3
4 **DEPUTY COMMISSIONER BARRY:**

5 Right. So the criminal investigation obviously takes precedence,
6 but the I.A. people never responded before, and we really didn't
7 have a say in how the criminal investigation was done. The people
8 working on the criminal side don't always have the right thought
9 process for departmental charges or departmental investigation, so
10 that's why we changed that up, and we actually have I.A. personnel
11 respond out to those scenes now. So if there's a vehicle pursuit
12 and a vehicle crashes, and two people, or three people, or
13 whatever, one person is killed in that accident, that would be an
14 investigation that the Squad would look at. But not only would the
15 Squad go out, because the police were involved in that pursuit,
16 I.A. Critical Incident Team would go out and they would have a say
17 in just what they think may be important for their investigation on
18 the Department's side, which the criminal side might not be looking
19 at.

10:25AM 20
21 **P.O. GREGORY:**

22 So prior to this change, it was the internal department, precinct,
23 or --

24
25 **DEPUTY COMMISSIONER BARRY:**

26 Basically what happened is the Detective Squad went out and
27 investigated it, and whatever they deemed appropriate at the time
28 they just handed off to I.A. at the end. I.A. didn't have any say,
29 they just got handed whatever the criminal side did.

30
31 **P.O. GREGORY:**

32 Gotcha.

33
34 **DEPUTY COMMISSIONER BARRY:**

35 But now we have a little bit of say in what pictures, or what
36 measurements, or what different photos, or maybe some questions
37 they might like to ask some other people. They have that part on
38 the ground when it's actually happening.

39
10:26AM 40 **P.O. GREGORY:**

41 Okay. All right. All right. Thank you very much.

42
43 **CHAIRPERSON BROWNING:**

44 Okay. Tom.

45
46 **LEG. CILMI:**

47 Thank you. Commissioner, thanks for being here, for all the
48 information. You were talking about one of the -- one of the most
49 common complaints is the desk -- the desk officers responding to
10:26AM 50 people who walk in or call. And you mentioned that you only found
51 one incidence where the language barrier turned out to be a problem
52 or wasn't handled appropriately, or whatever the case may have
53 been. What were your findings with respect to how visitors were
54 received or phone calls were received by the officers on the desk?
55
56

1 **DEPUTY COMMISSIONER BARRY:**

2 The -- well, we did one physical video/audio recording of each
3 precinct. Those were all positive, with the exception of one
4 precinct where there was the language line issue. Otherwise, the
5 person that went in was treated properly.

6
7 **LEG. CILMI:**

8 Okay. Oh, good. Okay. So the only -- the only negative was the
9 language incident.

10:27AM 10

11 **DEPUTY COMMISSIONER BARRY:**

12 Right.

13
14 **LEG. CILMI:**

15 There was no other --

16
17 **DEPUTY COMMISSIONER BARRY:**

18 It was really just that the person, the Police Department employee
19 speaking Spanish thought his Spanish was better than it was.

10:27AM 20

21 **LEG. CILMI:**

22 Right.

23
24 **DEPUTY COMMISSIONER BARRY:**

25 He thought he was very proficient at it, but --

26
27 **LEG. CILMI:**

28 Right.

29
30 **DEPUTY COMMISSIONER BARRY:**

31 -- the person that was a native Spanish-speaker didn't think so.

32
33 **LEG. CILMI:**

34 So -- and you made one visit into each precinct?

35
36 **DEPUTY COMMISSIONER BARRY:**

37 Yes.

38
39 **LEG. CILMI:**

40 Okay.

10:27AM 41

42 **DEPUTY COMMISSIONER BARRY:**

43 There's been numerous phone calls, but the actual visits where we
44 went audio and video in each spot was just one to each precinct.

45
46 **LEG. CILMI:**

47 And so numerous phone calls, how did those go?

48
49 **DEPUTY COMMISSIONER BARRY:**

50 Phone calls have been handled fine. There's been a couple of small
51 referred-back-to-command type things --

10:27AM 52

53 **LEG. CILMI:**

54 Right.

55

56

1 **DEPUTY COMMISSIONER BARRY:**

2 -- where we called the CO and said so and so was on the desk, can
3 you have a talk with him, you know, counsel him on whatever
4 particular problem there was.

5
6 **LEG. CILMI:**

7 Right.

8
9 **DEPUTY COMMISSIONER BARRY:**

10 Little things, but nothing major.

11
12 **LEG. CILMI:**

13 Yeah, yeah. I would think that the incidents where something, you
14 know, someone is treated with disrespect, or if there was an
15 egregious, you know, failure of protocol in some way, I would
16 imagine those are few and far between, those incidents. But, I
17 mean, let's face it, we all could always use reminders, you know,
18 in terms of treating people in a friendly way. You know, people
19 walk into a police precinct usually because something's happened to
20 them, or where they feel threatened in some way. And, you know, we
21 want to make sure that when somebody, you know, walks into a
22 precinct and is vulnerable that way, that they feel not only that
23 they're dealt with professionally, but they feel welcomed, and
24 that -- you know, that their concern is paramount in the mind of
25 whoever it is who's dealing with that person.

26
27 So I do appreciate that, your investigation on that, on that issue,
28 and I would encourage the Department to continue that exercise and
29 to use it not as a disciplinary tool so much as a training tool.

30
31 **DEPUTY COMMISSIONER BARRY:**

32 And there's a test. And it's always good the officers know, if one
33 does get counseled, they know that we're looking.

34
35 **LEG. CILMI:**

36 Right.

37
38 **DEPUTY COMMISSIONER BARRY:**

39 And that's always a good reminder when that phone rings, that they
40 say, "Whoa, is this really somebody making a complaint, or is this
41 somebody from I.A. doing a test?"

42
43 **LEG. CILMI:**

44 Right.

45
46 **DEPUTY COMMISSIONER BARRY:**

47 That's a good reminder for them that we're out there and we're
48 watching.

49
50 **LEG. CILMI:**

51 Right. And everybody has a bad day, and police officers are not
52 exempt from that.

53
54 **DEPUTY COMMISSIONER BARRY:**

55 Absolutely.

1 **LEG. CILMI:**

2 But we want to make sure that as a general, you know, practice,
3 that our officers are welcoming and treating residents with the
4 respect that they deserve. So thank you, I appreciate that effort.

5
6 **DEPUTY COMMISSIONER BARRY:**

7 Thank you.

8
9 **CHAIRPERSON BROWNING:**

10 Okay. Kara, you're next.

11
12 **LEG. HAHN:**

13 Okay. And the Presiding Officer asked the question that I was
14 going to ask first about the statute of limitations, and I know
15 that was clearly a concern to us when we met with you, what feels
16 like ten years ago.

17
18 *(*Laughter*)*

19
20 You've gotten so much done. You know, there's some -- I don't know
21 if I'd call them urban myths, or there's some, you know, things out
22 there that you hear. Sometimes it's Trotta who's talking, you
23 know, who says these things are happening, and sometimes it's other
24 people like him. But --

25
26 *(*Laughter*)*

27
28 **LEG. FLEMING:**

29 I couldn't hear. People like what?

30
31 **LEG. TROTTA:**

32 I missed it. I'm sure it's true.

33
34 *(*Laughter*)*

35
36 **LEG. HAHN:**

37 There was -- there was a complaint once made or an accusation made
38 about I.A. files disappearing. We had talked about these files now
39 no longer being, you know, hard copy files that you just have to
40 sign out and --

41
42 **DEPUTY COMMISSIONER BARRY:**

43 Right.

44
45 **LEG. HAHN:**

46 -- you know, nobody's watching and --

47
48 **DEPUTY COMMISSIONER BARRY:**

49 I can address that.

50
51 **LEG. HAHN:**

52 Yes. Are they now digitized and --

53
54 **DEPUTY COMMISSIONER BARRY:**

55 So what we've changed is, first off, security. So you have to
56 swipe in, so there's a card swipe at the door at I.A. There's a

1 window. So the door used to just open, you could walk in and out.
2 You know, if it got hot in the office, sometimes the ladies in the
3 office would leave the door open. So what we have now is that door
4 is locked all the time. You have to swipe in and swipe out. Even
5 myself, if I walk back there, we have to swipe in. If a guest
6 comes, they have to sign in. Those files, the hard copies of those
7 files do not leave the office. Any file that has to leave -- not
8 even to me. So any of those files that I need to review, when I'm
9 reading the closures of these cases, when I'm signing off on them,
10 those cases come to me electronically, so there's a -- there's a
11 stamp. They know that they sent it to me on this date and this
12 time and that I was the person who received a copy of it. And if
13 there becomes a time that somebody else needs a copy of that file,
14 it will all be done electronically. So those files do not leave
15 the office.

10:32AM

16
17 We talked about trying to digitize the files that we already have.
18 The expense of it was astronomical, it was just something that we
19 couldn't afford to do.

10:32AM

20
21 **LEG. HAHN:**

22 How about moving forward on new files, can they be digitized?

23
24 **DEPUTY COMMISSIONER BARRY:**

25 No. They can, but we'd need to get all of the forms and all of
26 that other stuff created. The I.T. Department would have to create
27 all those forms to be able to fill them out online and save them.

28
29 **LEG. HAHN:**

30 How certain are you that they cannot be tampered with while they
31 are, you know, being viewed?

10:33AM

32
33 **DEPUTY COMMISSIONER BARRY:**

34 Well, the hard copies we still have, so the hard copies never
35 leave. So the hard copies --

36
37 **LEG. HAHN:**

38 Right. No, I just meant -- again, just because this has been --
39 you know, accusations have been made. I guess my question is when
40 someone goes to look at those hard copies, they can't be altered,
41 is what I'm asking.

10:33AM

42
43 **DEPUTY COMMISSIONER BARRY:**

44 Correct.

45
46 **LEG. HAHN:**

47 In the report, under Section 4, All Relevant Demographic
48 Information, Section 4-A, it says, "See Attachment No. 1." We
49 don't -- I don't know if you have that with you. It wasn't part of
50 what was circulated to us.

10:34AM

51
52 **DEPUTY COMMISSIONER BARRY:**

53 I do not have the report with me.

54
55 **LEG. HAHN:**

56 What's that?

1
2 **DEPUTY COMMISSIONER BARRY:**

3 I do not have the report with me.
4

5 **LEG. HAHN:**

6 Oh, okay. That is zip code, incident locations by zip code. I'm
7 wondering if you found any geographic concentration or precinct
8 concentration of complaints.
9

10:34AM 10 **DEPUTY COMMISSIONER BARRY:**

11 The complaints are pretty much level across the board. The higher
12 arrest precincts usually get more complaints. But other than that,
13 there's no trend, there's no pattern to any one particular zip
14 code.
15

16 **LEG. HAHN:**

17 Okay. But, hopefully, we could get that attachment, you know, just
18 so that we can see that.
19

10:34AM 20 **DEPUTY COMMISSIONER BARRY:**

21 What did you say, it was 4?
22

23 **LEG. HAHN:**

24 Yeah, 4-A. It says, "See Attachment No. 1." And, unfortunately,
25 my network is down. I was trying to bring it up on my laptop, but
26 the network is down here. And then can you describe -- again, I
27 don't know all the jargon. When you say charges and specs versus
28 command discipline, how are they assigned?
29

10:35AM 30 **DEPUTY COMMISSIONER BARRY:**

31 Okay. So, basically, a command discipline is we found a case
32 substantiated. It could be for a minor offense, maybe a rules and
33 procedures violation. A command discipline goes back to the
34 precinct. That officer would then meet with his Commanding Officer
35 of that precinct who would determine what his punishment would be,
36 whether it's a one admonish, a day's pay, two days' pay. It could
37 go up to five days on a command discipline.
38

10:35AM 39 Charges and specs is a more serious case, where I.A. has
40 investigated that case and found that the officer had some
41 outrageous conduct, and basically writes up charges and specs.
42 They could then be adjudicated either -- sometimes they realize
43 that they messed up and we come to an agreement on the punishment.
44 Sometimes they choose arbitration, and, you know, that would be the
45 other route they could go.
46

47 **LEG. HAHN:**

48 And so -- okay. So just so that I understand how it works, all
49 cases of complaints go to I.A., it doesn't get decided at the
10:36AM 50 precinct level if it's going to be a command discipline versus an
51 I.A. investigation?
52

53 **DEPUTY COMMISSIONER BARRY:**

54 No, it depends.
55
56

1 **LEG. HAHN:**

2 Speak into -- make sure the mic -- I'm not sure --

3
4 **DEPUTY COMMISSIONER BARRY:**

5 Okay. Some cases do go back to the command. If it's a very minor
6 offense, it will go back to the command and the command will
7 investigate that.

8
9 **LEG. HAHN:**

10:36AM 10 No. I mean, the -- at the time of the complaint, all cases get
11 routed to I.A. or do --

12
13 **DEPUTY COMMISSIONER BARRY:**

14 Yes, and then I.A. takes a look at them. If it's a very minor
15 offense, they send it back to the precinct for investigation.

16
17 **LEG. HAHN:**

18 Okay. Was that always the case? Because there was some concern a
19 year or so ago when folks were talking about this, that complaints
10:37AM 20 would come in and they just would kind of get decided at the
21 precinct level and never get moved on to I.A. Has it always been
22 the case that they all go to I.A. or did you make that change?

23
24 **DEPUTY COMMISSIONER BARRY:**

25 No, they always go to I.A.

26
27 **LEG. HAHN:**

28 Okay, good.

29
10:37AM 30 **DEPUTY COMMISSIONER BARRY:**

31 So I.A. basically makes the decision. If it's a minor case, but
32 it's one particular officer, that this is his fifth or sixth, they
33 may keep that case. They may say, "This person is a problem and
34 we're going to keep this case and investigate it." But I.A. has
35 the ability, if it's a minor offense, to be able to send it back to
36 the precinct for investigation.

37
38 **LEG. HAHN:**

10:37AM 39 Is that something that you track? And I get it, some officers that
40 work harder and have more -- you know, more arrests, probably more
41 complaints. As you talked about the higher arrest precincts, you
42 know, there certainly is a chance for that. The more -- you know,
43 the harder you work, the more you're out there cuffing people, and
44 people are angry when you arrest them, I'm sure. But do -- how do
45 you track, you know, how many complaints against a particular
46 officer, and is somebody watching out for that?

47
48 **DEPUTY COMMISSIONER BARRY:**

10:38AM 49 Yeah. So we have -- we have what we call Blue Team. That's the
50 program that we use. A lot of police departments around the
51 country use that same program. It's basically the management
52 system for Internal Affairs. So when you bring up a particular
53 officer's name in that computer, when a complaint comes in, it gets
54 logged into Blue Team. They can see immediately that this person
55 has ten other complaints, they're similar, or they have three
56 complaints, or they -- you know, one for it was an illegal search,

1 one for was improper language. You know, they can see what the
2 cases are for. And, obviously, if they see that there's a pattern
3 with this particular officer, then we would -- we would look at
4 that.

5
6 **LEG. HAHN:**

7 Right, and there may be training opportunities, too, you know, in
8 some early instances for folks that might have just a few.

9
10 **10:39AM** Under the Field Audit Unit, you kind of read those statistics
11 quickly. And this was something that has been a concern, and I
12 can't remember what -- is it called the 307-b or the --

13
14 **LEG. FLEMING:**

15 207-c.

16
17 **LEG. HAHN:**

18 207-c, yeah. It's hard to remember all those codes (laughter).
19 Can you go through the Field Audit Unit statistics again? And that
20 might be something we want to have added to the report. You know,
21 I authored the original legislation to have this report be made to
22 this committee, but that may be something that is important to
23 include here. I think that, you know, that's just important
24 information.

25
26 **DEPUTY COMMISSIONER BARRY:**

27 It's a small unit, but they do a tremendous amount of work. They
28 really go out, and, you know, some of these officers that are
29 malingerers, they go out and there are video cameras, and they
30 videotape them. When they say they have a shoulder injury and
31 they're in the gym doing military presses, it's great video
32 evidence. So when they come in and see the doctor, we could get
33 them back to work. So they really, really do a tremendous amount
34 of work for the very small unit they're in.

35
36 **LEG. HAHN:**

37 Yeah, that's another, I think, folklore of not only your
38 department, but Workers Comp, you know, issues that every level of
39 government faces. And, you know, just being certain that someone's
40 watching is very important for the residents of Suffolk County to
41 know.

42
43 **DEPUTY COMMISSIONER BARRY:**

44 Absolutely. So when we -- when we're out at a particular person's
45 house and watching them, and, you know, they're running around in
46 the front yard with their kid, and then when they come to
47 headquarters to see the doctor, they got a cane and a limp. It's
48 great video evidence for us when you can show the doctor the video
49 from the front lawn and then show them limping into the building.

50
51 **LEG. HAHN:**

52 So you had mentioned 2016 numbers, and I didn't get to write it all
53 down. You had said -- the one that I got written down was the 127
54 checks on the 301 people.

1 **DEPUTY COMMISSIONER BARRY:**

2 Correct.

3

4 **LEG. HAHN:**

5 It may be helpful if you told us, you know, you do 127 checks out
6 of how many? How many 301 people do we have?

7

8 **DEPUTY COMMISSIONER BARRY:**

9 I don't know the answer to that.

10:41AM 10

11 **LEG. HAHN:**

12 Okay. But that may be helpful, followup numbers, you know, just
13 to --

14

15 **DEPUTY COMMISSIONER BARRY:**

16 But I could tell you this: Out of the 127 301 checks --

17

18 **LEG. HAHN:**

19 Remind me what a 301 check is again.

10:41AM 20

21 **DEPUTY COMMISSIONER BARRY:**

22 That's when they're -- they just call in sick.

23

24 **LEG. HAHN:**

25 Oh, okay.

26

27 **DEPUTY COMMISSIONER BARRY:**

28 So then it's not a line of duty injury, they're just out sick.

29

30 **LEG. HAHN:**

31 Okay.

32

33 **DEPUTY COMMISSIONER BARRY:**

34 So out of that 127, 19 of the officers were requested to write what
35 we call a 42, which is basically a short report to the
36 Commanding -- to Field Audit of what they were doing that day. You
37 know, we went to your house, you're supposedly out sick, but you
38 weren't home for two days, where were you?

39

10:42AM 40

41 **LEG. HAHN:**

42 And then the 115, I didn't get the other, because -- so there must
43 be -- you must have listed --

44

45 **DEPUTY COMMISSIONER BARRY:**

46 A hundred and fifty-two relief point checks.

47

48 **LEG. HAHN:**

49 One before that?

10:42AM 50

51 **DEPUTY COMMISSIONER BARRY:**

52 Was the 401 checks, was 275 surveillances they did on 58 different
53 officers.

54

55 **LEG. HAHN:**

56 And a 401 check is what?

1 **DEPUTY COMMISSIONER BARRY:**

2 Is when they're out line of duty. So they get hurt in the line of
3 duty and they're out injured.

4
5 **LEG. HAHN:**

6 Thank you. It's hard for us to remember all those different codes
7 and --

8
9 **DEPUTY COMMISSIONER BARRY:**

10 It took me a little while to catch up to them as well.

11
12 (**Laughter**)
13

14 **LEG. HAHN:**

15 Yes. No. It would be helpful to know that's out of how many, just
16 so that we have an understanding of how many people are out in the
17 line of duty. Two hundred and seventy-five sounds like a lot, and
18 maybe they did multiple checks of the same people, yeah.

19
20 **DEPUTY COMMISSIONER BARRY:**

21 It's 275 checks on 58 different officers.

22
23 **LEG. HAHN:**

24 Oh, okay. Thank you. I'm sorry. And so it's good for Suffolk
25 County residents to know. And, hopefully, this happens not only
26 for Police Department, you know, leave, but others, other
27 departments as well. So thank you. Thank you very much for a very
28 comprehensive report, and real meaningful improvements to the way
29 that Department's been managed. Thank you.

30
31 **DEPUTY COMMISSIONER BARRY:**

32 Thank you. And I would just like to say that the men and women of
33 Internal Affairs go above and beyond. They do a terrific job, they
34 really work hard. That was under Chief Neubauer, who's since
35 retired, and now Chief McLaughlin, terrific job.

36
37 **LEG. HAHN:**

38 Thank you, and thank you to all of them.

39
40 **CHAIRPERSON BROWNING:**

41 Okay. You're not getting off easy, we've got a couple more for
42 you. Bridget, you have a question?

43
44 **LEG. FLEMING:**

45 Thank you. Appreciate your report, appreciate your work. And I
46 think we are fortunate to have someone of your experience and
47 background doing this work, because it is really important stuff.
48 As a former Assistant D.A. in the Manhattan District Attorney's
49 Office, I know you got good training in the NYPD.

50
51 I wanted to ask you just to follow up a little bit on what Kara was
52 asking about the Field Audit Unit. How many officers are assigned
53 to that unit?

54
55 **DEPUTY COMMISSIONER BARRY:**

56 Four.

1
2 **LEG. FLEMING:**

3 Four. Wow, that is a lot of work. And is their activity regulated
4 by any contract provision or 207-c in terms of how they can contact
5 officers, what they do in terms of their followup and
6 investigation?
7

8 **DEPUTY COMMISSIONER BARRY:**

9 Yeah, they don't -- they don't contact officers until after they're
10 done investigating. So they covertly watch people. Obviously,
11 they don't know they're being watched. And then until the case
12 kind of comes to a head at the end, where they either request them
13 to do a 42, or they're in with the MEU doctor, showing a video of
14 them, you know, doing military presses at the gym, and the guy or
15 the girl says that, you know, they can't answer the phone and light
16 duty on the desk. So those are the -- those are the really times
17 that it kind of comes to a head. Otherwise, everything else is
18 done covertly.
19

20 **LEG. FLEMING:**

21 And just, you know, with -- mindful as we are of overtime spending,
22 obviously, as you said, getting officers back to work is a critical
23 role. But, also, their quality of life is a critical -- you know,
24 so the interplay is important. I'm just wondering. I know when I
25 was Police Commissioner in Southampton Town, we initiated some
26 negotiations between the officers and management that were very
27 helpful in that there was a -- there was an amount of
28 predictability that the officers actually wanted in term of these
29 kind of checks. And I don't know -- it actually brought the
30 numbers of long-term line of duty injuries down pretty
31 considerably, and I don't know if that's -- is there -- how did you
32 come up with the way that you're conducting these checks, and do
33 you think there's any room for improvement?
34

35 **DEPUTY COMMISSIONER BARRY:**

36 Well, the Field Audit Unit was created before I was here. They
37 pretty much operate the same way. The only way to bring it up is
38 to add more personnel. So they obviously -- there's only four
39 people, they only work one shift. It would be tremendous if we
40 were able to split it up, give them opposite days off and have
41 seven-day-a-week coverage, but that's just not possible with the
42 manpower that we have right now.
43

44 **LEG. FLEMING:**

45 What kind of manpower would that require?
46

47 **DEPUTY COMMISSIONER BARRY:**

48 We'd have to stand up a second team opposite the first team.
49

50 **LEG. FLEMING:**

51 Double.
52

53 **DEPUTY COMMISSIONER BARRY:**

54 Double, yeah. And those people in Field Audit aren't police
55 officers, they're sergeants and lieutenants.
56

1 **LEG. FLEMING:**

2 And just switching gears a little bit, how do you handle -- I don't
3 know if this is a stupid question, but how do you handle the
4 interplay between litigation and the complaints that are being
5 handled? You know, we -- I chair the Ways and Means Committee. We
6 see litigation is extremely expensive. Just wondering, first of
7 all, when you determine outcomes and disciplinary actions, do those
8 disciplinary actions ever include informing the officer of what the
9 litigation might cost the taxpayer? I know it sounds like a stupid
10 question, but, again, that was something that we initiated that had
11 a really big difference on some of -- you know, people often in
12 huge bureaucracies, people think, oh, I made a bonehead move, it is
13 what it is, you know, move on, and they don't realize that when
14 we're trying to trim costs, taxpayers are getting hit with a very,
15 very high dollar amount when there's a lawsuit against the Police
16 Department. So is there any kind of effort to educate officers
17 around litigation that's happening based maybe on some of these
18 complaints?

10:48AM

19
20 **DEPUTY COMMISSIONER BARRY:**

21 At this point, no, only for the reason being is we're kind of
22 behind the eight ball on that. We don't know what these type cases
23 would cost the County. So if there was a substantiated case, we
24 wouldn't really know what the payout would be. Now that we have
25 Rich Weinschenk helping us out in the Legal Bureau, he has a good
26 relationship with the County Attorney's Office, sometimes these
27 questions come up and he's able to help us out with that. But
28 prior to that, you know, that was just something that we didn't
29 know.

10:48AM

30
31 **LEG. FLEMING:**

32 Yeah. And I think that's the case all over the country. But I do
33 think it makes a big difference if that communication loop gets
34 closed, so I'll turn my attention to that.

10:49AM

35
36 And the only other thing, are you going to -- you know, we just
37 authorized a huge revision to the rules and procedures, an
38 expensive consultant to come in and revise a very, very old set of
39 rules and procedures. Will you be providing input? Will the
40 Field -- will the Field Audit Unit be providing input or anything
41 with regard to I.A. and rules and procedures?

10:49AM

42
43 **DEPUTY COMMISSIONER BARRY:**

44 Well, in I.A. in general, rules and procedures, yes. You know, as
45 they come in and do different parts of the book, the stuff that
46 relates to I.A., obviously, we'll have somebody from I.A. assigned
47 to that section and when they're updating it and upgrading the
48 book.

10:49AM

49
50 **LEG. FLEMING:**

51 I think that's very important. And, also, for the education for
52 the officers, so that some of these rules are clear, and because
53 the rules and procedures is not a very clear document right now.

54
55 **DEPUTY COMMISSIONER BARRY:**

56 No, it's not.

1
2 **LEG. FLEMING:**

3 And I just wanted to note also the addendum that Kara spoke of
4 isn't -- wasn't distributed, so if we could get that with the zip
5 code breakdown.

6
7 **DEPUTY COMMISSIONER BARRY:**

8 Yeah, I have that. I'll provide that to you.

9
10:50AM 10 **LEG. FLEMING:**

11 Thank you very much.

12
13 **DEPUTY COMMISSIONER BARRY:**

14 Thank you.

15
16 **CHAIRPERSON BROWNING:**

17 Monica.

18
19 **LEG. MARTINEZ:**

10:50AM 20 Thank you. Just echoing, obviously, what everybody has said, and
21 that's thank you for the improvements you've made to the
22 committee -- I mean, to the Department. But my questions is about
23 appeal. Are people able to appeal a decision made by Internal
24 Affairs, and if so, who does it go to?

25
26 **DEPUTY COMMISSIONER BARRY:**

27 I don't know the answer that. We've had one case where a case was
28 found substantiated many years ago, and the officer requested
29 through his Commanding Officer to take a second look at it, and
10:50AM 30 they did, and we reversed the substantiated to unsubstantiated, but
31 that's the only one that I know of that's happened. But I don't
32 know what the exact process is for appeal, I haven't had one, other
33 than that, so I'd have to look and get back to you on that.

34
35 **LEG. MARTINEZ:**

36 Okay. And same thing, what happened on the other side of the
37 issue, the individual making the complaint. So let's say, for
38 example, I made the complaint, I wasn't happy with the result that
39 was given by Internal Affairs, can I as a civilian have an appeal
10:51AM 40 process as well?

41
42 **DEPUTY COMMISSIONER BARRY:**

43 No.

44
45 **LEG. MARTINEZ:**

46 Why?

47
48 **DEPUTY COMMISSIONER BARRY:**

10:51AM 49 The reason being is that each case gets very, very thoroughly
50 investigated. They leave no stone unturned. If there was any way
51 that -- if there was something we missed, that they came to us with
52 some new evidence and said, "Hey, my neighbor recorded this and
53 here's the recording," so something new came into the case, we
54 would then reopen it and relook at it. But just on the grounds
55 that they weren't happy with the outcome would not be means for
56 appeal, because oftentimes many people are not happy with the

1 outcome of the case. Sometimes they are, but most times they're
2 not. But sometimes what happens is we don't have enough evidence
3 to substantiate the case, there's just not enough there, you know,
4 especially if it's a one-on-one car stop, or a police officer pulls
5 somebody over and he says the officer was disrespectful to him. If
6 it's only his word against the officer's, where the officer says he
7 didn't do it, "I was very polite to the gentleman," and the guy
8 says, "No, he wasn't," there's not a lot of evidence for us to
9 substantiate that case.

10:52AM 10

11 **LEG. MARTINEZ:**

12 Okay, that makes sense. Thank you.

13
14 **CHAIRPERSON BROWNING:**

15 And I guess the only way to say that it could be substantiated, if,
16 like you said earlier, there was multiple complaints.

17
18 **DEPUTY COMMISSIONER BARRY:**

10:53AM 20

19 Right. And we may think of that a different way, and we have some
20 things that we're thinking about that I don't want to talk about
21 here, but some other things that we're talking about. So if we see
22 an officer that has ten complaints of treating people badly, and
23 it's always one on one and we can't -- maybe that's something that
24 we can do to flesh that out and see if that's true or not.

25
26 **CHAIRPERSON BROWNING:**

27 Okay. And I think I have one question, but I'm going to let it go
28 for now. DuWayne, you have another question?

10:53AM 30

29
30 **P.O. GREGORY:**

31 Thank you. I had a followup question. So what, if any -- what
32 protocols and procedures have you put in place to eliminate or
33 reduce the risk of -- because you have officers that have been
34 there for many years, and it's a big department, but it's not a
35 gigantic department, everyone kind of knows each other. What
36 protocols have you put in place to eliminate someone who's an I.A.
37 Investigator overseeing a case of someone that they worked with, or
38 that they were subordinate to, or a supervisor to in the past, to
39 eliminate any kind of favoritism, if you will?

10:54AM 40

40
41 **DEPUTY COMMISSIONER BARRY:**

42 If we know about it, obviously, that case wouldn't get assigned to
43 them. We'd assign it -- let's say if the Captain had a
44 relationship with a particular person, we would -- we would flop
45 that case to the other team.

46
47 **P.O. GREGORY:**

10:54AM 50

48 But are there written protocols as to requiring that individual
49 to -- you know, like it would be -- as an Investigator myself, I
50 would say, okay, I have -- if there was a procedure that said,
51 okay, if I supervised this person, if I was, you know, a patrol --
52 you know, we, you know, patrolled together, or whatever, if you
53 delineate those relationships, and that would mandate me to go to
54 my superior and say, "Hey, you know, I worked in the First
55 Precinct, we worked in the same squad," or I don't know, whatever.
56 I think there would have to be some type of protocols put in place

1 to state what that relationship is, that they may be of concern.

2
3 **DEPUTY COMMISSIONER BARRY:**

4 Right. So with -- like you said, with the size of our
5 Department --

6
7 **P.O. GREGORY:**

8 Yeah.

9
10 **DEPUTY COMMISSIONER BARRY:**

11 -- many of our Investigators, a lot of them being Sergeants or
12 Lieutenants, have worked in a few different places. It would be
13 very hard to eliminate somebody just because they worked in the
14 First Precinct, for an example.

15
16 **P.O. GREGORY:**

17 Yeah. No, precinct is --

18
19 **DEPUTY COMMISSIONER BARRY:**

10:55AM 20 Right. Even if they were in the -- even if they were, you know,
21 both on the Two Tour, maybe they worked opposite each other,
22 sometimes it's very hard to find people that don't know each other.

23
24 **P.O. GREGORY:**

25 Right.

26
27 **DEPUTY COMMISSIONER BARRY:**

28 But if they have some type of personal, if they're personally
29 friends and their wives and them go out on the weekends, obviously,
10:55AM 30 that person isn't going to get the case. But oftentimes --

31
32 **P.O. GREGORY:**

33 But how do you know that? What protocols are put in place to
34 determine or to figure out if there is a relationship there, to
35 say, "Okay, you know, you should recuse yourself," or is that on
36 the individual Investigator to determine?

37
38 **DEPUTY COMMISSIONER BARRY:**

10:55AM 39 It's on the individual Investigators. But being that this job is
40 so small, it's kind of common knowledge.

41
42 **P.O. GREGORY:**

43 Okay, okay. Well, if you -- I mean, if -- I guess it's common
44 knowledge if you -- I guess that depends, right, because you have
45 -- you know, if you're an officer that's been here 10 years, you
46 may be familiar with some relationships, but if you've been here
47 20 years and the individual that you happen to be investigating
48 is -- you know, you had a relationship that started 20 years ago --

49
10:56AM 50 **DEPUTY COMMISSIONER BARRY:**

51 Right.

52
53 **P.O. GREGORY:**

54 -- I mean, I know, although I've been in the Department for 10
55 years, you know.

1 **DEPUTY COMMISSIONER BARRY:**

2 So to answer your question, there is no protocol in writing, an
3 official protocol. It's something we can look at.

4
5 **P.O. GREGORY:**

6 Okay, yeah. All right. Thank you.

7
8 **CHAIRPERSON BROWNING:**

9 Doc, you have a question?

10:56AM 10

11 **LEG. SPENCER:**

12 I did. With regards to checking for officers who were out on sick
13 time, if there is a sick family member, a spouse or a child, and an
14 officer takes a sick day and they're not sick, is there a
15 special -- are they allowed to take sick time for emergencies with
16 family members?

17
18 **DEPUTY COMMISSIONER BARRY:**

10:57AM 20

19 Yes. There's -- they call them 302 days. It's part of the
20 Collective Bargaining Agreement. They get seven 302 days a year.

21
22 **LEG. SPENCER:**

23 Okay.

24
25 **CHAIRPERSON BROWNING:**

26 That good? Okay. So I don't think there are anymore questions.
27 The one I -- an officer makes a complaint against an officer and
28 they work in the same precinct, maybe the same tour, what do you do
29 with that?

10:57AM 30

31 **DEPUTY COMMISSIONER BARRY:**

32 Okay. So that's one of the things I spoke of before, where we have
33 the anonymous line.

34
35 **CHAIRPERSON BROWNING:**

36 Well, how do you handle it? They work on the same tour.

37
38 **DEPUTY COMMISSIONER BARRY:**

10:57AM 40

39 Well, the culture is, right, that people don't want to make
40 complaints against other people they work with, so it's a very
41 difficult thing to try to get people to come forward. So setting
42 up this anonymous line, the thought process behind it, and it's
43 worked in other police departments, is that officer then can
44 anonymously report that incident. He gets a number for the
45 incident, and if it -- when it does -- when it does get
46 investigated and they call that officer in, he can provide that
47 number, and then they'll know that he actually did what he was
48 supposed to do as the R&Ps and he reported the incident.

10:58AM 50

49
50 It's a very difficult thing to try to get people to come forward,
51 but we thought that it was a good process to have them do it
52 anonymously, so nobody else in the precinct would know that they
53 were the person that made the complaint.

54
55 **CHAIRPERSON BROWNING:**

56 Okay. So if it's not necessarily anonymously and an officer makes

1 a complaint against another one, they -- they're having
2 disagreements, or whatever you want to call it, do you try and
3 change their tours up or move them somewhere, so that they're
4 not --

5
6 **DEPUTY COMMISSIONER BARRY:**

7 It depends --

8
9 **CHAIRPERSON BROWNING:**

10 -- interacting while an investigation goes on?

11
12 **DEPUTY COMMISSIONER BARRY:**

13 It depends what type of complaint it is.

14
15 **CHAIRPERSON BROWNING:**

16 Okay.

17
18 **DEPUTY COMMISSIONER BARRY:**

19 So if there's any kind of workplace violence, case like that,
20 that's held -- that's handled by Labor Relations. But we've had --
21 run across those, and certain times we were guided by Labor
22 Relations and the law about who we can move and who we can't move,
23 then we'd just be guided by that.

24
25 **CHAIRPERSON BROWNING:**

26 Okay. Curiosity, knowing that you come from the City, you know, my
27 husband works in the City, how much, and not to put any -- I'm just
28 curious how much of what you're familiar with and what you've done
29 in the City have you brought here that wasn't here; can I ask you
30 that?

31
32 **LEG. MC CAFFREY:**

33 I'm sorry. I never worked in Internal Affairs in the City.

34
35 **CHAIRPERSON BROWNING:**

36 Right, but you're familiar with how they work, even though you
37 never did.

38
39 **DEPUTY COMMISSIONER BARRY:**

40 Yeah. I mean, basically, you know how they work. It's obviously
41 changed a tremendous amount, even since I've been there.

42
43 **CHAIRPERSON BROWNING:**

44 Right.

45
46 **DEPUTY COMMISSIONER BARRY:**

47 The Deputy Commissioner of Internal Affairs in the City is my old
48 boss, Joe Reznick. We have a close relationship, and I've met with
49 him numerous times. We've worked cases, since I've been here,
50 together on either City officers or Suffolk officers and we have a
51 good relationship. And if there's some new idea or some new thing,
52 he's definitely somebody you can bounce an idea off or a thought.
53 Obviously, they put a lot of time and money into research and
54 things like that, so something that we might think is a good idea,
55 they might have vetted out already. So, yeah, it's definitely --
56 definitely speaking to him and the other person, we took some ideas

1 from, and thought to discuss things with is the I.G., which is the
2 Internal Affairs Bureau, the Federal Government. The boss there
3 had left the I.G.'s office and came to the Southern District when I
4 was there. So, again, he was my boss there, we had a close
5 relationship, so he's another person that we can -- we can bounce
6 some ideas off of and try to come up with some other ideas of how
7 to do this type of work.

8
9 **CHAIRPERSON BROWNING:**

11:00AM 10 Okay. And I'm assuming that when this new rules and procedures
11 things happens, there'll be best practices, and will also, when
12 they talk about best practices that are happening around the
13 country, that it will include Internal Affairs, yes.

14
15 **DEPUTY COMMISSIONER BARRY:**

16 Correct.

17
18 **CHAIRPERSON BROWNING:**

11:01AM 19 Okay. I guess the one last thing would be the zip code attachment
20 that Kara mentioned, if you could provide us with the zip code
21 attachment, that would be --

22
23 **DEPUTY COMMISSIONER BARRY:**

24 Yeah, I don't know why that wasn't attached, but I'll make sure
25 that you get it.

26
27 **CHAIRPERSON BROWNING:**

11:01AM 28 No, that's fine, so whatever you get back. I do not believe
29 there's anymore questions, correct? Okay. But we certainly
30 appreciate you coming in and updating us. And certainly come
31 October, when DOJ comes in, hopefully, we'll get some nice good
32 news.

33
34 **DEPUTY COMMISSIONER BARRY:**

35 Keeping my fingers crossed.

36
37 **CHAIRPERSON BROWNING:**

11:01AM 38 And I certainly appreciate all the work that you have done, you
39 know, and the fact that, you know, Internal Affairs I know is not a
40 place that everybody loves, especially when you work on the job.
41 But, at the same time, it's important that the residents of Suffolk
42 County know that every police officer who is serving is doing their
43 job right. And I -- like I say, I know that nobody wants to be
44 arrested, nobody wants to get pulled over, you know, for blowing a
45 stop sign, or speeding, and, you know, of course, they'll be upset
46 when they're getting that ticket. So, granted, sometimes people
47 make complaints that they're not happy with how they were treated.
48 But I say, overall, I think the majority of our police officers do
49 an awesome job. And, you know, we certainly appreciate that they
11:02AM 50 are very much -- I have the majority of the Seventh Precinct and I
51 can't say enough about their professionalism, and their energy and
52 eagerness to do -- to do more reach-outs. You know, we're talking
53 about things like the thing they're doing, "Coffee With a Cop", and
54 I don't know if they're doing that everywhere. Is every precinct
55 doing that?

1 **DEPUTY COMMISSIONER BARRY:**

2 Yes, every precinct is doing that.

3
4 **CHAIRPERSON BROWNING:**

5 Yeah, they are? And I think it's -- we -- when we had it, it was
6 very well attended, and it was 10 o'clock in morning. So the fact
7 that our police officers are getting out there, helping out in our
8 schools, you know, I think it changes the tone, too, of how people
9 feel about our police officers when they're doing what they do.

11:03AM 10

11 So, again, thank you again. And I don't believe we have anymore.
12 And we were planning to have an Executive Session, but there was
13 nothing came up that needs or requires that, so we're good to go.

14
15 **DEPUTY COMMISSIONER BARRY:**

16 Okay.

17
18 **CHAIRPERSON BROWNING:**

19 Thank you.

11:03AM 20

21 **DEPUTY COMMISSIONER BARRY:**

22 Thank you very much.

23
24 **CHAIRPERSON BROWNING:**

25 Okay. We have a -- I see Mike Sharkey, I see you came in. Is
26 there anything in particular that you have? You know, again, you
27 know, there was some comment about Internal Affairs, and, you know,
28 with the Sheriff's Department, I'm assuming you implement some of
29 the same policies and procedures as the Police Department. And if
30 any of my colleagues have an interest in having a presentation at
31 some point with how the Sheriff's Department handles things, we'll
32 let you know. Okay. Thank you.

11:04AM 30

33
34 So we'll go to the agenda. Tabled Resolutions. (1007-17) -
35 Adopting a Local Law to eliminate alarm registration renewal fee
36 (Browning). I will make a motion to approve. And do we have a
37 second?

38
39 **LEG. CILMI:**

40 I'll second.

11:04AM 40

41
42 **CHAIRPERSON BROWNING:**

43 Second, Legislator Cilmi. And I believe there was a motion to
44 table by Legislator -- who?

45
46 **D.P.O. CALARCO:**

47 Well, I'll make the motion.

48
49 **CHAIRPERSON BROWNING:**

50 Oh, Calarco.

11:04AM 50

51
52 **LEG. FLEMING:**

53 I'll second the motion to table.

54
55 **CHAIRPERSON BROWNING:**

56 And a second by Legislator Fleming. Chief, I know that I held off

1 for one cycle so you could be here.

2

3 **CHIEF CAMERON:**

4 Good morning, again. And I would like to thank the committee for
5 accommodating me in postponing this one meeting. I thought it was
6 important that I attend the MS-13 training that we had, both to
7 learn the material and to show my support to our Federal partners
8 who were there providing the training.

9

11:05AM

10 **CHAIRPERSON BROWNING:**

11 So, anyway, you know, this is something that won't be -- come into
12 effect until next year. However, I know that you -- we've gone
13 back and forth. I think we've had more debate than I want to have
14 on this.

15

16 **CHIEF CAMERON:**

17 I'll second that.

18

19 *(*Laughter*)*

11:05AM

20
21 **CHAIRPERSON BROWNING:**

22 But we -- you know, one of the issues, and, again, everything is
23 based on experience, and constituent complaints, and concerns,
24 that, you know, we understand that you have a program, we
25 understand that there's an excessive amount of false alarms. We
26 understand that that's something that needs to be reduced,
27 requiring people to register, we get that. However, the
28 reregistration was something that I to this date do not agree with.

29

11:06AM

30 And many of my constituents have said they understand that you want
31 to get a sense of how many people have alarms. That's fine, and
32 they get the registering the first time. But they feel it's unfair
33 to have them to have to pay this fee, whether it be yearly or every
34 two years, to keep their alarms registered.

35

36 I can tell you we did have a lady here at the last committee
37 meeting who -- basically, she just got the alarm in, she didn't get
38 a chance to register, the alarm went off, it was a false alarm, you
39 know, and now she's get a ticket for, you know, reregistering. I
40 would assume that her Legislator, I believe was Legislator
41 Muratore, that they have been in touch with the Police Department,
42 because I think, you know, she was unfairly treated. And many of
43 our senior citizens say it's not fair, and, "Why should I have
44 to" -- "I'm paying for a service and why do I have to pay a fee now
45 every two years to the Police Department for a service I'm paying
46 for a private company?" I know this only pertains to the Police
47 Department.

48

11:07AM

49 I do not, and I will continue to say, I do not see registering or
50 paying for a registration is what deters false alarms. Fines deter
51 a false alarm. And to date I have not received any valid
52 information that tells me registration is reducing the number of
53 false alarms. Fines will reduce the numbers of false alarms. How
54 many people -- how many -- the reduction in false alarms, we don't
55 have real data or information that shows the reason why they have
56 dropped is because people have been fined, because they have

1 cancelled their alarms and decided, you know what, take the P.D.
2 out of my false alarm of -- you know, when my alarm goes off. I
3 don't want the Police Department to get that call, let me make that
4 decision. So there is no real evidence that proves what that
5 reduction is.

6
7 So with that, I'm going to ask you, why is it so important for
8 people to have to pay a reregistration?
9

11:09AM 10 **CHIEF CAMERON:**

11 I will say just, and I don't want to debate the merits of the
12 program, but I will say the program has been extremely successful.
13 And year-to-date, since it started, part of that is a partial
14 implementation in April and May where we were just having people
15 register. And as I spoke about earlier, during April and May, when
16 we were just having people register, we saw reductions in alarms.
17 So the registration process did seem to cause an alarm reduction,
18 11% last April and 23% in May, so it did cause a significant
19 reduction.

11:09AM 20
21 Since the program has been in effect, we've seen overall like 26%
22 reduction in false alarms, which equates to 26,000 less false
23 alarms, which is a significant amount, I would say approximately
24 13,000 hours of saved patrol time. We have a very talented Police
25 Department. I would much rather them -- have them doing
26 self-initiated activity, rather than responding to false alarms.
27 And in January and February of this year, we saw reductions of
28 close to 50%, which other municipalities that have similar programs
29 said that we could expect to see a 50 to 70% reduction in false
30 alarms.

11:10AM 31
32 With respect to the registration component alone, many of the
33 successful programs that we spoke to do require a recurring
34 registration process with a fee, and the benefit to the Police
35 Department from that is it allows us to update the contact
36 information for both residential and commercial customers. And the
37 contact information, having that updated on a regular basis, allows
38 us to have the ability to contact both the property owner for
39 residents and commercial accounts. So if the premises is
11:10AM 40 unsecured, we no longer have to -- the vexing choice of leaving a
41 patrol car there to watch it until someone comes to secure it, or
42 leaving it unsecured, which clearly is not a good option for us.
43

44 It also gives us ready access for commercial and residential
45 accounts, to contact an owner, get them to respond quickly, so we
46 can access their CCTV, if we have it. Seeing the CCTV quickly can
47 very often help us catch people who are committing crimes, because
48 they are very often still driving the same vehicle and still
49 attired in the same clothing.

11:11AM 50
51 It also -- keeping the registration fee allows us to have a
52 component where if we want to make future modifications to the
53 program such as video verification, we could reduce the
54 registration fee to people that opted into that. Many departments
55 have had great success with video verification, and if you're not
56 familiar with that, that's a program where if the alarm goes off,

1 it's not related to the police until CCTV is checked and it
2 verifies that there's actually a crime in progress, and some of the
3 departments on the West Coast have severely reduced false alarms
4 due to that.

5
6 With the reduction of the recurring registration fee that was
7 passed late last year, the registration fee now is about \$2 a
8 month, approximately \$2 a month. And the -- ultimately, as false
9 alarms continue to fall, which I believe they will, the revenue
10 from the false alarms will tail off, which is exactly what we want.
11 We want to reduce false alarms and not raise revenue. The
12 registration fee will help the Department make the program to be
13 cost neutral to us, so that it will cover the cost of the employees
14 that work in the Alarm Bureau, and the mailings and the software
15 updates we need to continue the program once false alarms decline.

16
17 The false alarm program, I believe, is the principal component in
18 the decrease in our response times. And as I had mentioned last
19 year when I was here, the response times to Priority 4 calls, which
20 is where false alarm fall, has been reduced by 10%. The faster we
21 can get to alarms, the greater the likelihood we have of catching
22 somebody if they're actually burglarizing a premises. So for
23 everybody that has -- that pays for central station, that benefit
24 will apply to them. If their premise is ever burglarized or
25 robbed, the fact that we can get there in a much more rapid basis
26 allows us a far greater likelihood that we will catch a perpetrator
27 that may be preying upon their business or their home.

28
29 And with respect to the ambiguity as to whether the reduction in
30 false alarms is a result of people being more diligent in the
31 operation of alarms or having their alarm systems repaired versus
32 people that are canceling central station, if we all make the
33 assumption that people have central station to protect their
34 business or their residence from a burglary, the fact that
35 burglaries are down year to date 18%, residential burglaries down
36 21%, and commercial burglaries are down 13%, if people were, in
37 fact, canceling their central station, and it should theoretically
38 have an impact on those burglary numbers, that's not panning out.
39 Burglaries continue to plummet, and I believe that it's partially
40 the result to the better response times, where we get to the scene
41 faster, to burglaries, to burglar alarms. Because there's fewer
42 false alarms, and our response time are now lower, that allows us
43 to catch people if they committed crimes.

44
45 **CHAIRPERSON BROWNING:**

46 Okay. So how many people are registered?

47
48 **CHIEF CAMERON:**

49 How many people? Give me one second, I will check that for.

50
51 **CHAIRPERSON BROWNING:**

52 Or households. Residential and business, if you can give me a
53 breakdown.

54
55 **CHIEF CAMERON:**

56 Stand by one second. Currently, there are 26,457 residents

1 registered, and there are a total of -- well, I have the commercial
2 broken down by different types. Banks, there's 266; general
3 commercial, there's 8415; government, 298; public schools 128, and,
4 again, residential, 26,457.

5
6 **CHAIRPERSON BROWNING:**

7 Okay. So do we know exactly how many alarm systems there are in
8 Suffolk County?

9
10 **CHIEF CAMERON:**

11 I do not know that, but I don't know if we have any way of
12 determining it.

13
14 **CHAIRPERSON BROWNING:**

15 Well, if you have central stations, I would assume all the
16 companies that have -- provide the service. And, again, you
17 mentioned it's \$2 a day or \$2 a week.

18
19 **CHIEF CAMERON:**

20 Two dollars a month.

21
22 **CHAIRPERSON BROWNING:**

23 A month, sorry. However, how much does a person pay for an alarm
24 system and for central station to respond to their alarm? And so
25 that's \$2 more on their bill than what they're already paying.

26
27 **CHIEF CAMERON:**

28 Central station doesn't respond to any alarm, all they do is notify
29 the police. And if you're paying for central station, you would
30 want a rapid police response, which this program is increasing the
31 odds that you will attain.

32
33 **CHAIRPERSON BROWNING:**

34 Right, but the option that you have with central station is that
35 when you get that service, you can tell central station, "No, don't
36 call the police, because I don't want to pay that registration
37 fee." "I don't want" -- "I don't want the police to respond."
38 Maybe they have a camera in their home that they can say, "You know
39 what, no, I can check my camera before you call."

40
41 And so, again, I still will continue to say registration fee is not
42 going to change anything. I think that the fines is what's going
43 to change, plus these systems are better than what they used to be.
44 And that's probably another reason why I would assume that the
45 alarm companies are being more conscious of the fact that, you
46 know, now because this program is in place, they're doing a better
47 job, that's a possibility.

48
49 **CHIEF CAMERON:**

50 I disagree. I believe the registration fee is one of the
51 components to a successful program, and that has panned out all
52 across the country in other municipalities that have similar
53 programs. The majority of them have a recurring registration
54 process, which I think focuses people's attention on the alarm
55 management program on a recurring basis, and makes them more
56 diligent in the operation and/or repairs and upgrades in technology

1 of their alarm systems.

2

3 **CHAIRPERSON BROWNING:**

4 So, George, if I'm not mistaken, we did keep that people do
5 register, reregister, however, they don't have to pay the fee.

6

7 **MR. NOLAN:**

8 Residential. The residential --

9

10 **CHAIRPERSON BROWNING:**

11 Residential right, right.

12

13 **MR. NOLAN:**

14 -- buildings don't have to pay the -- don't have to pay when they
15 reregister.

16

17 **CHAIRPERSON BROWNING:**

18 Right.

19

11:17AM

20 **MR. NOLAN:**

21 So it's -- the fee remains with the commercial buildings.

22

23 **CHAIRPERSON BROWNING:**

24 But they still have to reregister anyway.

25

26 **MR. NOLAN:**

27 Right, the obligation to register remains, yes.

28

29 **CHAIRPERSON BROWNING:**

30 Right.

31

32 **MR. NOLAN:**

33 To put -- but with no fee.

34

35 **CHAIRPERSON BROWNING:**

36 Right. So I guess, you know, we'll continue to agree to disagree
37 on this. I believe --

38

39 **CHIEF CAMERON:**

11:17AM

40 Exactly what Legislator Cilmi said to me, that we will agree to
41 disagree.

42

43 **CHAIRPERSON BROWNING:**

44 (Laughter).

45

46 **CHIEF CAMERON:**

47 I mean, you know, I understand your position and you just have to
48 understand mine. I'm trying to improve efficiency in the Police
49 Department and reduce our response to false alarms.

11:17AM

50

51 **CHAIRPERSON BROWNING:**

52 Well, again, when we are getting hit with fees, and I've been
53 opposed to many of these fee increases, whether it be the Traffic
54 Court, or, you know, mortgage fees, and we can't fee people to
55 death. And that's my issue, is I'm not going to support another
56 fee, and that's basically what this is, is another tax. But Doc

1 Spencer has a question.

2

3 **LEG. SPENCER:**

4 Madam Chair, I do have questions, but I'll yield to the gentleman
5 from Islip one minute of my time.

6

7

(**Laughter**)

8

9 **LEG. CILMI:**

11:18AM 10 Gentleman? Gentleman from Islip?

11

12 **CHAIRPERSON BROWNING:**

13 I guess you're on, Tom.

14

15 **LEG. CILMI:**

16 My appreciation to the gentleman from Huntington.

17

18

(**Laughter**)

19

11:18AM 20 Quick question. Chief, do you still maintain -- at an earlier

21 meeting, you said that you didn't think the amount of the

22 reregistration fee was significant in any way in terms of its

23 ability to maintain the benefits of this program. Do you still

24 have that same belief? Do you believe the amount has nothing to do
25 with the --

26

27 **CHIEF CAMERON:**

28 The amount? I think that there is an important --

29

11:18AM 30 **LEG. CILMI:**

31 The dollar amount.

32

33 **CHIEF CAMERON:**

34 The dollar amount, as far as reducing alarms, may not matter, but

35 there is the issue of the program being cost neutral to the Police

36 Department. And, again, as the number of false alarms increase --

37 decrease over time, the revenue generated from the false alarms

38 should decline as well. So I do think the registration fee will

39 help the Police Department to pay for the program to continue.

11:19AM 40

41 **LEG. CILMI:**

42 But if the number of false alarms is declining, then you should be

43 able to then concurrently decrease the cost of the reregistration,

44 no?

45

46 **CHIEF CAMERON:**

47 Well, the program is new. That's something I'd have a little more

48 time to take a look at it. You know, as I said in January and

49 February, false alarms are down close to 50%, and that's the

11:19AM 50 greatest success we've achieved so far. The program isn't even

51 really a year old, so I'd like to have a little bit more time.

52 That's why I would like to not make too many drastic changes.

53

54 We did go from one-year registration to a two-year, and that does

55 not necessarily seem to have any unintended negative consequences

56 to the program. So I would like to leave it alone for a while, let

1 it mature a little bit, and let it become a little bit more
2 institutionalized.

3
4 A lot of the appeals we got and some of the appeals we got passed
5 from the Legislature were people that were not familiar with the
6 program. And I do know personally that some people that I know
7 spoke about not receiving the mailing. So we were very receptive
8 to appeals where people that said that they weren't aware of the
9 program. So, you know, I think it's -- my recommendation would be
10 to leave the program alone for a while, let it mature. There's
11 always an opportunity to reduce the registration fee down the line
12 after the program has been fully implemented and up and running.

13
14 **LEG. CILMI:**

15 Okay.

16
17 **LEG. SPENCER:**

18 That was actually my question, too, Chief, along those lines. And
19 I'll just drill down on it a little bit further. And I appreciate
20 your response to wait and allow the program to mature. But that if
21 we are saying that we can decrease the reregistration fee to make
22 it reflect the true cost to the Department, I think that would be
23 something that would at least make it -- the criticism is that it
24 appears, you know, that this is another disguised tax or
25 revenue-generating sort of mechanism for the County at the expense
26 of people registering their alarms or making that decision not to
27 do. So that would be really important to me personally, that we
28 look at that, and that we do have from yourself a true sense of
29 what the true cost is. Because if we're saying that in two years,
30 well, we're requiring a registration fee so that we can keep our
31 database current, wouldn't it just be fine to charge \$5 or \$1 and
32 -- but because I can't imagine -- like, for instance, with the
33 State, I'm required to keep my information current, and if I don't,
34 then I jeopardize my status. So I guess my question is that what
35 is the true cost to update someone's registration information? And
36 I guess you have really no way of being able to know that.

37
38 **CHIEF CAMERON:**

39 We had to -- so we had to hire additional staff to run this
40 program. This was a new program for the Police Department, so we
41 have the salary and benefits for the staff members, we had to buy
42 the software program to administer the program, and then, of
43 course, we have the cost of mailings that we send out to folks. So
44 the true cost of the program is something that we could certainly
45 assess and let you know, but right now we have approximately under
46 30,000 people registered. So if it was \$1 a year, it would
47 generate \$30,000 if all the false alarms stopped, and that would
48 not be enough to cover the cost for the Police Department. So I
49 would just like some time to assess that to see, as alarms continue
50 to be reduced, what the -- you know, what the cost would be to the
51 Police Department.

52
53 **LEG. SPENCER:**

54 Yes, sir, I can see that, I could agree with that. I do think a
55 point would be that a lot of that work would be up front in the
56 initial registration, the reregistration. As the program has

1 matured, there wouldn't be mailings, there would be the database
2 that would be in place. Most of the people would be registered, so
3 it would only be new registration, then reregistrations, and that's
4 going to cut that salary line down, so -- but the point that you're
5 making, giving it more time, I do believe to be valid.

6
7 My next question to you, though, which really struck me, probably
8 just the biggest expense that has undergone scrutiny in the
9 department is overtime cost. And so I would say -- my question is
10 that in your introduction, you mentioned that because of the
11 registration, that's freed up 13,000 hours of patrol time. Why
12 doesn't that translate -- if I take that 13,000 hours and put that
13 into shifts and officers and manpower, shouldn't there be an
14 accordingly reduction in the number of overtime hours and expenses?

15
16 **CHIEF CAMERON:**

17 Those saved hours are hours where we would have officers working
18 anyway. It's just time out of their eight-hour day that they no
19 longer are responding to false alarms, that they can instead visit
20 locations where we have patrol checks such as the MS-13 locations
21 in Brentwood, or do a debriefing on some way to gather intelligence
22 for us, or perhaps write a traffic summons to try and reduce our
23 traffic numbers.

24
25 We have a very talented Police Department, and in speaking to our
26 officers, very many of them have spoken to me about days where they
27 had to respond to one call after another and they really have no
28 free time, and that's really I don't think what any of us want.
29 You know, a program like this can improve efficiency, free up some
30 time during the day, so they can do some of the things that we all
31 want them to do, increase roadway safety and decrease crime in the
32 County.

33
34 So some of it may translate into overtime reductions. Generally,
35 we don't assign alarms if it generates overtime. We'll hold them
36 until the person's relieved, because it's the lowest priority of
37 call. We only generally send officers out at the end of the shift
38 on the highest priority calls as part of our overtime reduction
39 strategy, but it could potentially translate into some small
40 reduction over time. But more of what it does is it increases the
41 overall efficiency and allows the officers that we have that are
42 working on straight time to be more efficient with their time and
43 to increase the benefits to the County and the Police Department.

44
45 **LEG. SPENCER:**

46 Thank you. And one last question. During the initial debate, one
47 thing that was really important to me was the procedure to confirm
48 false alarms before we charge someone a fee. And, you know, my
49 concern would be that, just like with ShotSpotter, that there's a
50 difference between false and unsubstantiated. And I did want to
51 follow up on that, that line of questioning, that I said, you know,
52 I really want a very rigorous formal process. And what I'm
53 thinking of, you know, I mentioned the example where someone comes
54 by and jiggles the door, and you said, well, a real true alarm
55 system really shouldn't go off if someone jiggles the door.

1 What about a situation, Chief, where there is a door that's not
2 locked or a window that's not locked, and that window is opened or
3 cracked and it does trigger the alarm? That suspect quickly closes
4 the window and runs away. And so that officer, on the initial
5 sweep, where does -- can you just briefly tell me, to now
6 categorize an alarm as a false alarm, what is the procedure? You
7 mentioned that the officer is not going to go by, shine the lights
8 on the building and then drive off and say it was a false alarm,
9 that, you know, they're going to get out, they're going to go,
10 they're going to walk to the premises. But I know they're not
11 going to necessarily dust for fingerprints either.

11:27AM

12
13 **CHIEF CAMERON:**
14 Correct.

15
16 **LEG. SPENCER:**

17 So, you know, how are we addressing the unsubstantiated? Because,
18 again, I don't want to see people where -- I have had complaints
19 where someone said that, you know, "I got billed for two false
20 alarms and then, you know, subsequently I was robbed," and it
21 appears that someone may have been kind of casing the place. So I
22 apologize for speaking so long, but if you could address that for
23 me briefly, I'd appreciate it.

11:27AM

24
25 **CHIEF CAMERON:**

26 That's one of the reasons there's not strict accountability.
27 That's one of the reasons when people register there's an allowance
28 for two false alarms, just in case something happens. But if --
29 you know, if people can appeal their alarm and they can tell us why
30 they think it is not a false alarm, it would be very difficult for
31 a police officer to determine that someone had opened and closed a
32 door or opened and closed a window. But what we expect our
33 officers to do when they're assigned to an alarm is to get out of
34 their car, walk around the premises, check all the doors to make
35 sure that they're all locked, and look for any obvious signs of
36 breakage.

11:28AM

37
38 If, after they leave, the homeowner or the business owner comes
39 home and they discover that their premises was damaged or
40 burglarized, I would very much expect that they would call us back
41 and we'd take a crime report, which would transform that false
42 alarm into a burglary or a criminal mischief, and it would not go
43 into the false alarm software, and it would not generate a false
44 alarm instance that would be held against their account. So, I
45 mean, we're not -- we would not be able to determine if someone
46 opened and closed the window at someone premises. But to think
47 someone had done that twice and then came back, is it possible?
48 Yes. But I would say that's probably in the minority rather than
49 the majority.

11:28AM

50
51 **LEG. SPENCER:**

52 Thank you, sir, appreciate your time.

53
54 **CHAIRPERSON BROWNING:**

55 Okay. I'm curious, what is the revenue with the fees and revenue
56 of fines to date?

11:29AM

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11:29AM

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11:31AM

CHIEF CAMERON:
Right now, the total that's been paid to the Police Department since the program started is \$3,737,000.

CHAIRPERSON BROWNING:
That's fees and fines total?

CHIEF CAMERON:
That's fees and fines, yes.

CHAIRPERSON BROWNING:
Okay. And one thing, I'm hearing some of my colleagues saying about, well, possibly dropping what that registration fee could be as the program gets into place. That one thing that we have to be aware of is this does not come into effect, the reregistration, until next year. But once that reregistration happens next year, that's a revenue. And if you decide to reduce or eliminate in the future years, now you have to come up with an offset.

LEG. CILMI:
Next year.

CHAIRPERSON BROWNING:
Right. We don't have to come up with an offset this year. But if we keep it in place, because some are saying about reducing that \$35 once you -- once it goes into effect and you want to reduce it, you have to find that offset; correct, George?

LEG. CILMI:
Not in subsequent years.

MR. NOLAN:
You're talking about this bill.

CHAIRPERSON BROWNING:
This bill.

MR. NOLAN:
The reason we did not need an offset this year is because it became a two-year registration, so it's not going to cost anybody any money now. It's not going to cost the County any revenue this year, so, therefore, we didn't need an offset in this particular bill.

CHAIRPERSON BROWNING:
But if you decide to reduce it next year, or in 2019, or 2020, and you say, "Okay, well, I want to take it from 35 to 5, then now you're forced to find an offset.

MR. NOLAN:
Unless it's reflected in the Operating Budget you adopt for that year.

CHAIRPERSON BROWNING:
Right.

1
2 **MR. NOLAN:**

3 But if in the middle of the year you say we're going to reduce
4 immediately a fee and it's going to cost us revenue, then, yes, we
5 have to find an offset at that point.
6

7 **CHAIRPERSON BROWNING:**

8 So history will tell you how that's going to work out. So I'm just
9 giving you a word of warning, caution. I'm not going to be here
10 next year, I don't have to worry about that, but you guys will.
11 And that is my biggest concern, is now it's going to be a revenue.
12 And I say it's -- and why I'm saying now is don't -- to approve
13 this now, and say for next year or the following years, obviously
14 the fines are going to be reduced, we'll get less revenue as the
15 program continues to go, and when you now have administrative costs
16 that are not being met with the revenue that's coming in, then it
17 justifies the need to change anything, correct? So that's why I'm
18 saying, is don't do this. But, Leslie, you have a question?
19

20 **LEG. KENNEDY:**

21 Chief, thank you for coming out today.
22

23 **CHIEF CAMERON:**

24 My pleasure.
25

26 **LEG. KENNEDY:**

27 I was going to ask Budget Review the same question, so.
28

29 **CHAIRPERSON BROWNING:**

30 Okay. And Tom?
31

32 **LEG. CILMI:**

33 Yeah, thank you. So, Chief, as part of the registration process,
34 are we collecting information with respect to the central station
35 monitoring company that folks are using?
36

37 **CHIEF CAMERON:**

38 I don't believe so, but I'm not entirely certain. I would have to
39 check on that to verify that and get back to you.
40

41 **LEG. CILMI:**

42 Okay.
43

44 **CHIEF CAMERON:**

45 We know that anyway, though, because whenever there's a false
46 alarm, anyone that's had a false alarm, we know who their central
47 station monitoring company is, because it's part of the process
48 that we collect, part of the information we collect through 911.
49

50 **LEG. CILMI:**

51 So would you have access, then, to names and addresses of the
52 various alarm companies that we have here in Suffolk County?
53

54 **CHIEF CAMERON:**

55 We would probably know all the central station providers that have
56 ever called in a false alarm into our shifts.

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11:35AM

LEG. CILMI:
If you would provide that information to me, I would appreciate it.

CHIEF CAMERON:
Sure.

LEG. CILMI:
Thank you.

CHAIRPERSON BROWNING:
Okay. Okay, and you go -- yeah, you go ahead. You might ask the same questions.

LEG. CALARCO:
I don't have any questions.

CHAIRPERSON BROWNING:
Oh, okay. So if my alarm goes off and a police officer shows up, and its deemed a false alarm, and like Doc Spencer mentioned with the -- say a window was not locked and maybe somebody closed it, and I say to you I know that somebody was in my backyard, or I know somebody, you know, tampered with the window at my home, but there's no visible evidence, and a police officer comes. Now you say that, okay, he has to get out of the car, he has to do a walk-around, check the house. I have cameras on my home. He doesn't know that. What if he does not walk around the back of my home or do a real check, am I going to -- is that going to be a false alarm, or do you not consider that as a false alarm?

CHIEF CAMERON:
Then we'll revert to the previous discussion with Commissioner Barry, and you'll let us know and we'll subject that to an Internal Affairs investigation to see why he was not diligent in his responsibility to fully check the premises.

CHAIRPERSON BROWNING:
But if my camera shows that the perimeter was not walked, then you should be able to just say, no, it wasn't -- we're not going to call it a false alarm.

CHIEF CAMERON:
Well, in that rare instance, if an officer -- if there's video evidence that the officer didn't fully check the premises, we won't -- we probably would not consider that a false alarm, because we were not certain if there was a break. But, again, if there's damage to a premises or there's been a burglary, my expectation would be that the people, when they come home and discover that, they would call us back and make a crime report. And if that doesn't happen, its most likely in my mind a false alarm.

If someone left a window open, a window was open or closed, part of your responsibility, if you own an alarm system, is prior to initiating it, that you -- prior to arming it, that you lock all your doors and windows. And if you don't do that, you're not meeting your responsibility for proper operation of an alarm

1 system.

2

3 **CHAIRPERSON BROWNING:**

4 So, again, I believe Legislator Calarco has something to say, but
5 I'm going to continue to say fines is what's going to make this
6 work, not registration. I believe that, you know, an individual
7 can register, it's up to them. If they don't want to, you know,
8 give you their personal information, and I can tell you there are
9 people I've talked to that said, you know, they never got the phone
10 call. Central station, actually one was -- that I got recently was
11 central station called them and they said that central station told
12 the Police Department not to show up and they showed up anyway, so
13 now they get a false alarm.

11:36AM

14
15 **CHIEF CAMERON:**

16 If central station didn't want us to show up, why did they even
17 call us? I'm really unclear on that.

18

19 **CHAIRPERSON BROWNING:**

20 They -- well, I guess --

21

22 **CHIEF CAMERON:**

23 Why would someone call us if they wanted --

24

25 **CHAIRPERSON BROWNING:**

26 I'm not sure how it works out, but they said that central station
27 called the Police Department. I guess they must have gotten the
28 call and then they cancelled it.

29

30 **CHIEF CAMERON:**

31 We do allow --

32

33 **CHAIRPERSON BROWNING:**

34 They showed up anyway.

35

36 **CHIEF CAMERON:**

37 -- for cancelling of response under certain circumstances. But if,
38 you know, the officer has already been dispatched, we generally
39 don't allow the alarm to be cancelled. So it may have been -- the
40 call may have come too late to cancel.

11:36AM

41

42 **CHAIRPERSON BROWNING:**

43 Okay. So, Rob, do have a --

44

45 **LEG. CALARCO:**

46 Thank you, Madam Chair. And I just want to state the reasons why I
47 made a motion to table and I'm not supporting this bill. And I do
48 recognize and appreciate that you're trying to find a solution and
49 trying to ease the impact of the bill on our homeowners. But we've
50 debated this now for well over a year-and-a-half and we have gone
51 through it on many different ways. And then at the end of last
52 year, through the budget process for this year, we agreed to make
53 some pretty significant changes to the program. So now the
54 registration fee is \$50, but that's a biannual fee, so that you
55 pay -- you're in effect paying \$25 a year, which is a pretty low
56 number, considering your -- just your monthly fee to central

11:37AM

1 station to have a program is going to cost you 30, 40, 50 bucks a
2 month. So to ask you to pay \$25 a year for your registration for
3 the program with the County is I don't think an onerous amount of
4 money. And we have in addition lowered the fee, the registration
5 fee for seniors to \$25 for that biannual usage. So those people
6 are only paying 12.50 a year for their -- for their registration of
7 their system.

8
9 So, again, we really tried, I think, through the bill that we
10 passed at the end of last year to really bring down that cost and
11 the potential impact on a homeowner, which is why there is no
12 revenue in the budget for this year for -- or very minimum amount
13 of revenue in the budget this year for registrations.

14
15 The Chief has come here and said that this program is working. He
16 is showing how its being effective. And, quite honestly, I think
17 it may actually encourage people to get systems, because -- I never
18 got a system, because I didn't think it was worth my while. Why
19 would I get an alarm system knowing that it's going to take P.D.
20 several hours to show up when the alarm goes off because they're so
21 busy responding to all of the things they're responding to? I know
22 that that alarm is the bottom of their call volume. So if we're
23 going to now show that we're freeing up time for our officers to be
24 doing more work and doing that work more efficiently, maybe it's
25 going to say to people, you know what, it's more effective to have
26 an alarm now, because they're going to be able to get here in a
27 more timely response.

28
29 I think, at this point, we have to just let the system play itself
30 out for a while and see how it works. And this isn't something
31 that's brand new, this is something that's been used all across the
32 country and it's shown to be effective. Those bodies that are in
33 the department now running the program aren't going away. Chief,
34 you're not -- you're not going to lay off any of those people you
35 hired to implement the program in the future, are you?

36
37 **CHIEF CAMERON:**

38 If necessary, I guess you would, but that's not our intention.

39
40 **D.P.O. CALARCO:**

41 It's not the intention, nor do I think the union contract would
42 allow you to, at least in the near future. I guess the contract's
43 expired. But those people are going to still be there doing the
44 work, because you need somebody to process the applications, you
45 need somebody to process the alarms when they're coming in as false
46 alarms, to send out the notices that there's a false alarm. People
47 are getting two false alarms when they register. So if somebody
48 does open the window and shut it, and because they heard the alarm
49 go off, well, that's one of the freebies you might get.

50
51 And I would think that the criminal is not that stupid that they're
52 going to come back to the house again to open the window again to
53 shut it again after the alarm went off. I could be wrong, and, you
54 know, I guess lightening can strike twice and you might get another
55 criminal that decides to try to burgle your house, but that would
56 have to happen three times before you actually get imposed a fine

1 for that. I just don't think that happens, because the way the
2 system is structured, Chief, it's you get two false alarms before
3 you get a fine on the third one, and that's within a calendar year,
4 right?

5
6 **CHIEF CAMERON:**

7 It's in the year that you registered, so it resets every year.

8
9 **D.P.O. CALARCO:**

10 Every year, so you have -- you have 12 months.

11
12 **CHIEF CAMERON:**

13 Yes.

14
15 **LEG. CALARCO:**

16 So within that -- in order for the situation of a burglar to come
17 and hit your house, open the window, hear the alarm go off, shut
18 the window, walk away, you would have to have that happen to you
19 three times within the course of a year in order to get I fine.

20
21 **CHIEF CAMERON:**

22 That is correct.

23
24 **LEG. CALARCO:**

25 Yeah. And I just -- I have a hard time believing that that's going
26 to happen three times to the same homeowner within the course of a
27 year. I guess you can never say never to anything, but that's not
28 a high probability.

29
30 So I think, at this point in time, we've got to let our program
31 work and see how it plays out. And if we find that it's not
32 working after a long period of time, or people are really finding
33 that it's too difficult to pay the fee, you know, we can handle it
34 moving forward. But \$25 a year, \$50 every two years, it's -- we're
35 not asking a lot of money for that. It's only going to really
36 probably just cover the cost of the personnel who have been hired
37 to do the job, and, at the same time, we are now getting our police
38 officers freed up to do more police work and respond to actual
39 alarms that are actual criminals and have a better chance of
40 catching those people.

41
42 **CHAIRPERSON BROWNING:**

43 Good? Okay. Well, again, that re-registration fee does not prove
44 to me -- I have yet to see any evidence. And once you implement
45 this, good luck finding the offset. So be careful what you wish
46 for.

47
48 So with that, there was a motion to approve and a motion to table.
49 Table takes precedent. The motion was by Legislator Calarco, and
50 who seconded?

51
52 **LEG. FLEMING:**

53 Me.

54
55 **CHAIRPERSON BROWNING:**

56 Seconded, Legislator Fleming. All in favor of tabling? Opposed?

1 I'm opposed.

2

3 **LEG. CILMI:**

4 Opposed to table.

5

6 **LEG. KENNEDY:**

7 Opposed.

8

9 **CHAIRPERSON BROWNING:**

11:42AM 10 Three oppositions. It is tabled. Careful what you wish for.
11 (*Vote: Tabled 5-3-0-0/Opposed: Chairperson Browning, Legislators*
12 *Cilmi and Kennedy*).

13

14 **CHIEF CAMERON:**

15 Thank you.

16

17 **CHAIRPERSON BROWNING:**

18 **1271 - Adopting a Local Law to eliminate cremation approval fee**
19 **(Trotta).** Is that --

20

21 **MR. NOLAN:**

22 It's a public hearing.

23

24 **CHAIRPERSON BROWNING:**

25 Oh, it's in public hearing still? Motion to table for public
26 hearing; second, Legislator Calarco. All in favor? Opposed?
27 Abstentions? It's tabled for public hearing. (*Vote: Tabled for*
28 *Public Hearing 8-0-0-0*)

29

11:43AM 30 **Introductory Resolutions: 1392 - Accepting and appropriating**
31 **Federal funding in the amount of \$35,506 from the United States**
32 **Department of Justice, Drug Enforcement Administration (DEA) for**
33 **the Suffolk County District Attorney's Office to -- say that**
34 **again -- Office participation in the DEA Long Island Task Force**
35 **(Co. Exec.).** I'll make a motion to -- motion to approve by
36 Legislator Spencer.

37

38 **LEG. SPENCER:**

39 On the Consent Calendar.

11:43AM 40

41 **CHAIRPERSON BROWNING:**

42 Yeah, placed on the Consent Calendar. I'll make a second. All in
43 favor? Opposed? Abstentions? It's approved, on the Consent
44 Calendar. (*Vote: Approved and Placed on Consent Calendar 8-0-0-0*)

45

46 **1413 - Appropriating funds in connection with the Communication**
47 **System Site Rehabilitation (CP 3246) (Co. Exec.).** I'll make a
48 motion to approve. Is this the P.D. communication site
49 rehabilitation? It is? Anybody have any questions on this?

11:44AM 50

51 **LEG. FLEMING:**

52 I do have a question.

53

54 **CHAIRPERSON BROWNING:**

55 Okay.

56

1 **LEG. FLEMING:**

2 I'll second.

3

4 **CHAIRPERSON BROWNING:**

5 So I made the motion; second, Legislator Fleming. On the motion.
6 Can we get little bit of information on that? Mike is here, Mike
7 Postel.

8

9 **MR. POSTEL:**

11:44AM 10 Madam Chair, good morning.

11

12 **CHAIRPERSON BROWNING:**

13 Good morning.

14

15 **MR. POSTEL:**

16 Questions, what do you have?

17

18 **LEG. FLEMING:**

11:44AM 19 I just have a question on behalf of Legislator Krupski, asking -- I
20 don't know if he -- you and he have spoken, but is this a
21 countywide rehabilitation?

22

23 **MR. POSTEL:**

24 This is for the communications sites in the facilities and the
25 towers, the monopoles at the sites, yes. So it does encompass any
26 of the sites that the County has communications equipment at.
27 There were 19 detailed in the capital project. It goes through the
28 Nassau County line all the way out to Montauk Point.

29

11:45AM 30 **LEG. FLEMING:**

31 And Orient Point.

32

33 **MR. POSTEL:**

34 Yes. I use Montauk because that's the further point.

35

36 **LEG. FLEMING:**

37 I have to say Orient, because that's Krupski.

38

39 **MR. POSTEL:**

11:45AM 40 Okay.

41

42 **LEG. FLEMING:**

43 So -- but you're not -- you're not -- what does the rehabilitation
44 mean? Is it where we have gaps?

45

46 **MR. POSTEL:**

47 No.

48

49 **LEG. FLEMING:**

11:45AM 50 For instance, in Montauk, is there going to be any effort to fill
51 those gaps, or this is just rehabilitating this infrastructure
52 that's already there?

53

54 **MR. POSTEL:**

55 This is rehabilitating the infrastructure which supports the
56 physical equipment inside the facility. So, for example, these are

1 the towers. This is not the RF equipment that makes the
2 communications system work. That's the separate capital project,
3 and there are other means to fund that. But we've made a huge
4 investment in this County recently with enhancements that we've
5 done to the system to try and extend coverage to the east, as well
6 as providing the coverage we have, and the facilities that house
7 this equipment need attention.

8
9 So what we are trying to do is, is that there were two other
10 capital programs. I was recently here last month for a 3238 and
11 3239, which were programs that were specifically detailed for two
12 sites that the County has, the primary communications tower at
13 Yaphank and the communications tower right around the corner here
14 at Hauppauge, which is behind the Dennison Building. Those two
15 programs were started prior to my -- prior to my tenure at the
16 Police Department, and they're going to be finished out, but we
17 still have 17 other communications sites that we need to address.
18 So rather than addressing them individually, we felt this program
19 would be better, because we can address them over the course of
20 time. And this will also help, while minimal, relieve some funds
21 out of operations budgets, because most of the equipment that has
22 to be done and the items that have to be done at these sites last
23 and fit into the capital funding, tower maintenance, maintenance
24 and condition assessment, painting, lighting. They are fairly
25 large dollar amounts, and its more appropriate to handle in our
26 capital project than try and grab it out of operating every year.

27
28 **LEG. FLEMING:**

29 And last question. Is there -- what kind of interaction are you
30 having with the East End Police Departments?

31
32 **MR. POSTEL:**

33 We're communicating with the East End Police Departments constantly
34 regarding the system. Recently we had some conversations with
35 Southampton Village, and they're looking to make a decision of
36 whether they're going to upgrade their existing system or they're
37 going to come on board the County's trunked radio system. The
38 decision is in their hands at this point in time.

39
40 We do have communications with Southold. I have to make a visit to
41 Chief Flatley. I saw him recently and I owe him a visit to have
42 some conversations with him. And we're going to be targeting some
43 projects in the future, which the Legislature will likely hear
44 about in the near future about some additional expansion on the
45 East End, hopefully later next year.

46
47 **LEG. FLEMING:**

48 Well, I'll look forward to hearing more about that. And thank you
49 for your answers.

50
51 **MR. POSTEL:**

52 You're welcome.

53
54 **CHAIRPERSON BROWNING:**

55 Okay. Leslie, you have a question?

1 **LEG. KENNEDY:**
2 I do. Barring a natural disaster, what is the life expectancy of
3 one of these towers, with proper maintenance?
4

5 **MR. POSTEL:**
6 With proper maintenance.
7

8 **LEG. KENNEDY:**
9 Sure.
10

11 **MR. POSTEL:**
12 And that's key, Legislator Kennedy.
13

14 **LEG. KENNEDY:**
15 Yes.
16

17 **MR. POSTEL:**
18 And that's what we're trying to do here. For example, the tower
19 that we have over in Hauppauge that we're trying our hardest to try
20 and handle our vertical asset the best way that we can, that tower
21 is approximately 30 years old, and it's about its -- either could
22 be approaching its useful life, which is why we're doing a study to
23 determine whether or not it's going to more cost effective to
24 repair it and enforce it or to replace the tower. So I would say
25 most of these, you'd be looking at about a 20 to 30-year life span.
26

11:48AM

27 **LEG. KENNEDY:**
28 Okay. Thank you.
29

11:48AM

30 **MR. POSTEL:**
31 You're welcome.
32

33 **CHAIRPERSON BROWNING:**
34 Okay. Mike, if you don't want to go, is there any other
35 resolutions here, before you go? So I don't want you to be like
36 you're in church.
37

38 **MR. POSTEL:**
39 I don't believe there's anything else for me specifically regarding
40 communications.
41

11:48AM

42 **CHAIRPERSON BROWNING:**
43 Okay, I appreciate it.
44

45 **MR. POSTEL:**
46 No problem.
47

48 **CHAIRPERSON BROWNING:**
49 And, well, I have one question for you.
50

11:49AM

51 **MR. POSTEL:**
52 Yes.
53

54 **CHAIRPERSON BROWNING:**
55 The issue at the recent FRES meeting, I don't remember if you were
56 there or not.

1
2 **MR. POSTEL:**
3 I wasn't.

4
5 **CHAIRPERSON BROWNING:**
6 The last one.

7
8 **MR. POSTEL:**
9 But Commissioner Williams spoke to me about it.

11:49AM

10
11 **CHAIRPERSON BROWNING:**
12 There was with the new Motorola project. And, as you know, that a
13 lot of the local fire departments, talking about having to upgrade
14 their radios, I know there's been some conversation about trying to
15 find grants for them for -- it's a significant amount of money for
16 them to have to change the radios. Have you anything you wanted to
17 add? Have you heard anything new?

11:49AM

18
19 **MR. POSTEL:**
20 I know that FRES is really spearheading that. I believe
21 Commissioner Williams, Joel Vetter I believe is looking for some
22 grants on that. We do typically try and look at any of the interop
23 grant funds that come out. I know it is a -- it is a project that
24 the County has now at this point in time for shared services, so
25 I'm not sure if there's anything that can be done on that avenue.
26 And Commissioner Williams and I had a conversation about that, that
27 maybe the County could partner with some of these agencies and see
28 what we can do there. But we are -- we are actively working
29 together. We do not only work closely with FRES, but we have
30 conversations with the Sheriff's Department as well, you know, our
31 other public safety partner, to try and do different things with
32 them and the other entities and users of the radio system.

11:50AM

33
34 **CHAIRPERSON BROWNING:**
35 Okay. I appreciate it. You know, just keep me up to speed with --
36 if anything new comes up, because I know that was a big issue for
37 them when this all first opened up and --

11:50AM

38
39 **MR. POSTEL:**
40 Yes.

41
42 **CHAIRPERSON BROWNING:**
43 -- I know it's not going to go away if they know they have to buy
44 radios.

45
46 **MR. POSTEL:**
47 Absolutely.

48
49 **CHAIRPERSON BROWNING:**
50 Thank you.

51
52 **MR. POSTEL:**
53 No problem.

54
55 **CHAIRPERSON BROWNING:**
56 Okay. So we had a motion to approve and a second. All in favor?

1 Opposed? Abstentions? It's approved. (Vote: Approved
2 7-0-0-1/Not Present: Legislator Spencer)

3
4 **1414 - Appropriating funds in connection with Police Information**
5 **Technologies Core Systems and Infrastructure Upgrades (CP 3247)**
6 **(Co. Exec.).**

7
8 **D.P.O. CALARCO:**
9 Motion.

10
11 **CHAIRPERSON BROWNING:**
12 I'll make -- Motion to approve by Legislator Calarco; second,
13 Legislator Kennedy. All in favor? No questions? All in favor?
14 Opposed? Abstentions?

15
16 **LEG. FLEMING:**
17 I'm sorry, I have questions about is this all countywide?

18
19 **CHAIRPERSON BROWNING:**
20 Can somebody answer any questions on this one?

21
22 **DEPUTY INSPECTOR DOHERTY:**
23 Good morning. I'm Bill Doherty. I'm a Deputy Inspector. I'm a
24 Commanding Officer of the Police Technology Bureau.

25
26 **LEG. FLEMING:**
27 Good morning.

28
29 **DEPUTY INSPECTOR DOHERTY:**
30 Good morning.

31
32 **LEG. FLEMING:**
33 Again, on behalf of Legislator Krupski, is this a countywide
34 effort?

35
36 **DEPUTY INSPECTOR DOHERTY:**
37 It is. It will upgrade the Suffolk County Police Department's
38 abilities to incorporate our software, our hardware, our servers,
39 and will also allow us to move forward with data sharing with the
40 East End Police Departments, basically bringing those East End
41 Departments into our network so they can mine our data to further
42 the Police mission.

43
44 **LEG. FLEMING:**
45 Is that the same as what you did with Westhampton Beach?

46
47 **DEPUTY INSPECTOR DOHERTY:**
48 I'm sorry, you have to be more specific.

49
50 **LEG. FLEMING:**
51 Last year the Commissioner came out and you rolled out a data
52 sharing program.

53
54 **DEPUTY INSPECTOR DOHERTY:**
55 Yes. This is in furtherance of that.

1 **LEG. FLEMING:**
2 Same thing, okay.

3
4 **DEPUTY INSPECTOR DOHERTY:**
5 Correct. It's not the whole picture, but it's an important piece
6 of it.

7
8 **LEG. FLEMING:**
9 I understand. Okay. What piece is it?

11:52AM 10
11 **DEPUTY INSPECTOR DOHERTY:**
12 This will actually allow us to buy the hardware, the software,
13 servers to allow East End Police Departments to come back into our
14 network, mine our data and use our data, you know, to solve crime
15 and so forth.

16
17 **LEG. FLEMING:**
18 And will they need to make capital investments themselves in order
19 to take advantage of this?

11:52AM 20
21 **DEPUTY INSPECTOR DOHERTY:**
22 We don't believe so. It should be coming from us.

23
24 **LEG. FLEMING:**
25 Great. And what sort of communication is planned once it's online
26 to -- so that we know that all those departments have full
27 understanding of how to capitalize on it?

28
29 **DEPUTY INSPECTOR DOHERTY:**
11:52AM 30 My Executive Officer, Fred Webber, has been meeting on a monthly
31 basis about -- with various chiefs and supervisors from the East
32 End towns offering them this service, and letting them know that
33 we're willing to share our data, and in turn, we would like to also
34 share their data.

35
36 **LEG. FLEMING:**
37 Right, which is really great.

38
39 **DEPUTY INSPECTOR DOHERTY:**
11:53AM 40 Right. And, again, this would be in furtherance of not having each
41 Police Department be its own silo'd Police Department, so to speak,
42 that we will all share data and information.

43
44 **LEG. FLEMING:**
45 But we all know crime knows no boundaries.

46
47 **DEPUTY INSPECTOR DOHERTY:**
48 Correct.

49
11:53AM 50 **LEG. FLEMING:**
51 And some of these departments are very small, so their databases
52 are very small and just a -- you know, one municipality away,
53 someone's doing a lot of crime, you know, it's good to have that
54 information. And do you have a timeline?

1 **DEPUTY INSPECTOR DOHERTY:**
2 Hopefully, within the next year-and-a-half to two years.

3
4 **LEG. FLEMING:**
5 And I would just ask that you keep Legislator Krupski's office and
6 my office in the loop on that, so that when we're interacting with
7 our Police Departments, we will be able to keep them updated as
8 well.

9
10 **DEPUTY INSPECTOR DOHERTY:**
11 Absolutely.

12
13 **LEG. FLEMING:**
14 Thank you very much.

15
16 **DEPUTY INSPECTOR DOHERTY:**
17 You're welcome.

18
19 **CHAIRPERSON BROWNING:**
20 Okay. You might want to stick around, too, because I know that we
21 sent a request on 1416.

22
23 **DEPUTY INSPECTOR DOHERTY:**
24 Is that MDTs?

25
26 **CHAIRPERSON BROWNING:**
27 Yeah. You know what, we have a motion and a second. All in favor?
28 Opposed? Abstentions? It's approved. (Vote: Approved 8-0-0-0)
29 You might want to stick around.

30
31 **1415 - Appropriating funds in connection with the Cyclical**
32 **Replacement of Mobile Data Terminals in Police Vehicles (CP 3510)**
33 **(Co. Exec.).**

34
35 **D.P.O. CALARCO:**
36 Motion.

37
38 **CHAIRPERSON BROWNING:**
39 Motion to approve, Legislator Calarco; second, Legislator Cilmi.
40 All in favor? Opposed? Abstentions? It's approved. (Vote:
41 Approved 8-0-0-0)

42
43 **1416 - Appropriating funds in connection with Equipment for Police**
44 **Investigations (CP 3516) (Co. Exec.).** I'm trying to find the email
45 that I sent, but there was -- somebody had asked the question.
46 I'll make a motion to approve.

47
48 **LEG. HAHN:**
49 Second.

50
51 **CHAIRPERSON BROWNING:**
52 Second, Legislator Hahn. Can you give us -- oh, I'm sorry. Oh,
53 wrong person. If we can get a little bit of information on what
54 this is.

1 **MR. CHIARAMONTE:**
2 Ben Chiaramonte, Photographic Plant Manager for the Police
3 Department.

4
5 **CHAIRPERSON BROWNING:**
6 The camera, okay.

7
8 **MR. CHIARAMONTE:**
9 Yes.

10
11 **CHAIRPERSON BROWNING:**
12 Okay the question was, is the cost, that's what it was. Can you
13 kind of give us a little bit of information on what this is?

14
15 **MR. CHIARAMONTE:**
16 Yes. So what we are trying to do now is to revamp our digital
17 imaging program, which first initiated about ten years ago on a
18 capital projects funding, where we transitioned the department over
19 to digital photography from traditional film-based photography, you
20 know, all new camera equipment. Photographic laboratory was
21 revamped to accommodate not only our only investigators, but
22 investigators throughout other agencies in the County, such as the
23 East End agencies and the DA's Office, Child Protective Services
24 and such.

11:55AM

25
26 So we're at the point where a lot of those cameras have now become
27 just inoperable. Our repair budget funds have decreased over the
28 last several years. And, quite honestly, you get to a certain
29 point with that type of equipment, it's really not worth --
30 economically feasible to repair that stuff. There has been an
31 increased call for us to do more work. You heard Commissioner
32 Barry earlier speaking about different displays that are in the
33 precincts and whatnot, and we do provide that out of our unit. And
34 our bigger printing machines are getting old and tired, and, you
35 know, we're trying to keep them running. So we do -- we do need
36 the new equipment to keep our investigators out there doing what
37 they need to do.

11:56AM

38
39 **CHAIRPERSON BROWNING:**
40 Okay. It's just that, you know, the resolution really doesn't give
41 us a lot of information, so --

11:57AM

42
43 **MR. CHIARAMONTE:**
44 Okay.

45
46 **CHAIRPERSON BROWNING:**
47 -- you know, I guess some were saying a camera for 200. You know,
48 so that's --

11:57AM

49
50 **MR. CHIARAMONTE:**
51 Yeah. No, that wouldn't be one camera.

52
53 **CHAIRPERSON BROWNING:**
54 We need a lot more information than we had.

55
56

1 **MR. CHIARAMONTE:**

2 We're probably talking about replacing somewhere in the vicinity of
3 about 200 cameras, both -- anywhere from a digital point-and-shoot
4 camera to a full digital SLR camera that our Crime Scene Units use.
5 The Identification Section uses those for murder scenes. And,
6 again, just to support the other agencies that we deal with in our
7 photographic services in printing for D.A., court displays, and
8 what have you. So it's encompassing a lot more than just, you
9 know, a couple of cameras, yes.

11:57AM 10

11 **CHAIRPERSON BROWNING:**

12 Okay. So when you're talking that many cameras, can you give us a
13 breakdown? You don't have to give it today, but if you would just
14 email us a breakdown of what the purchase is, how many cameras.
15 Talking about printers and what the average cost --

16
17 **MR. CHIARAMONTE:**

18 Right.

19
20 **CHAIRPERSON BROWNING:**

21 -- is per item.

22
23 **MR. CHIARAMONTE:**

24 Yeah. And I think I did forward an email somewhere through my
25 chain of command, but I don't know, it might not have reached you
26 yet, because --

27
28 **CHAIRPERSON BROWNING:**

29 I don't think they got that.

30
31 **MR. CHIARAMONTE:**

32 There might have been a delay with it for some reason. But,
33 anyway, yeah. Until I know what I'm working with, I could then
34 give you a little bit better breakdown, because, obviously, prices
35 I get today from when I can actually purchase are going to be
36 different, but I can give you a very good ballpark, yes.

37
38 **CHAIRPERSON BROWNING:**

39 What's the average cost on a camera?

11:58AM 40

41 **MR. CHIARAMONTE:**

42 You know, on a point-and-shoot digital, you could start at \$150 for
43 something decent and go maybe to a \$200 range or a little bit more.
44 Some of the digital SLRs that we do utilize can cost up to \$5,000
45 each, you know, but they're very -- you know, with one camera now,
46 we can do two services. Say at the murder scenes that the
47 Identification Unit responds to, where we used to have a still
48 camera and a video camera to document the scene, you can now do it
49 with this one camera that we are utilizing now and would like to
50 get more of, so -- but it happens to be expensive equipment. It's
51 Nikon based, which is here on Long Island. They've serviced us for
52 almost since the inception of the department. They've been very
53 good to us. So, you know, it's high end stuff. It's not cheap to
54 do --

11:59AM 50

1 **CHAIRPERSON BROWNING:**

2 Right.

3

4 **MR. CHIARAMONTE:**

5 -- law.

6

7 **CHAIRPERSON BROWNING:**

8 And we buy directly from Nikon?

9

11:59AM

10 **MR. CHIARAMONTE:**

11 No, no. It all goes out to --

12

13 **CHAIRPERSON BROWNING:**

14 Bid it?

15

16 **MR. CHIARAMONTE:**

17 -- vendors, yes. But we deal with Nikon for our repair services,
18 and they also come in and will help us with technical services and
19 training classes for our officers when we ask them for, yes.

11:59AM

20 **CHAIRPERSON BROWNING:**

21 Okay. Thank you. Well, it's a little bit more than we all thought
22 initially, so I appreciate that.

23

24 **MR. CHIARAMONTE:**

25 Thank you.

26

27 **CHAIRPERSON BROWNING:**

28 So there was a motion to approve and a second. All in favor?

11:59AM

29 Opposed? Abstentions? It's approved. (Vote: Approved 8-0-0-0)

30 Thank you.

31

32 **1419 - Authorizing the transfer of funds from the Sheriff's Office**
33 **Prisoners' Commissary Account to the General Fund (Co. Exec.).**

34 I'll make a motion to approve.

35

36 **LEG. KENNEDY:**

37 Second.

38

12:00PM

39 **CHAIRPERSON BROWNING:**

40 Second, Legislator Kennedy. No questions on this? Okay. All in
41 favor? Opposed? Abstentions? It's approved. (Vote: Approved
42 7-0-0-1/Not Present: Legislator Hahn)

43

44 **1429 - Accepting and appropriating a grant providing 75% support in**
45 **the amount of \$155,780 from the United States Department of**
46 **Homeland Security and amending the 2017 Capital Budget and Program**
47 **in connection with the Purchase of Marine Equipment (CP 3513) (Co.**
48 **Exec.).** I'll make a motion to approve.

12:00PM

49 **D.P.O. CALARCO:**

50 Second.

51

52 **CHAIRPERSON BROWNING:**

53 Second, Legislator Calarco. All in favor? Opposed? Abstentions?
54 It's approved. (Vote: Approved 8-0-0-0)

1
2 **1430 - Accepting and appropriating grant funds in the amount of**
3 **\$64,538 from the United States Department of Homeland Security,**
4 **Federal Emergency Management Agency, for a Port Security Program**
5 **with 86.2% support (Co. Exec.).**

6
7 **LEG. KENNEDY:**
8 Motion.

9
10 **CHAIRPERSON BROWNING:**

11 Motion to approve, Legislator Kennedy; second, Legislator Cilmi.
12 All in favor? Opposed? Abstentions? It is approved. (Vote:
13 *Approved 8-0-0-0*)

14
15 And with that, I'll make a motion to adjourn. We did not need to
16 go into an Executive Session, so motion to adjourn; second,
17 Legislator Calarco. We're adjourned.

18
19 *(*The meeting was adjourned at 12:01 p.m. *)*
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12:00PM

INDEX

[Occurrence of Word] - Page Number:Line Number

\$	<p>1429 [1] - 66:45 1430 [1] - 67:2 15 [2] - 21:22 152 [1] - 19:7 16 [2] - 16:15, 21:40 17 [1] - 58:17 18 [14] - 6:23, 20:20, 20:27, 20:40, 20:43, 20:46, 20:52, 21:9, 21:13, 21:14, 21:15, 21:18, 21:23, 21:27 18% [1] - 43:35 18-month [1] - 20:33 180 [2] - 16:55, 17:4 19 [2] - 30:34, 57:27 1991 [1] - 2:35</p>	<p>30% [4] - 13:10, 13:14, 13:17, 13:18 30,000 [1] - 47:46 30-year [1] - 59:25 300 [1] - 19:8 301 [5] - 19:9, 29:54, 30:6, 30:16, 30:19 302 [2] - 37:19, 37:20 307-b [1] - 29:12 3238 [1] - 58:10 3239 [1] - 58:11 3246 [1] - 56:47 3247 [1] - 61:5 35 [1] - 50:48 3510 [1] - 63:32 3513 [1] - 66:48 3516 [1] - 63:44</p>	8	<p>8-0-0-0 [7] - 56:28, 56:44, 63:28, 63:41, 66:30, 66:56, 67:13 8415 [1] - 44:3 86.2% [1] - 67:5 888 [2] - 17:17, 17:20</p>	<p>accordingly [1] - 48:14 Account [1] - 66:34 account [1] - 49:44 accountability [1] - 49:26 accounts [2] - 42:39, 42:45 accusation [1] - 25:37 accusations [1] - 26:39 accuse [1] - 5:46 achieved [1] - 46:50 act [1] - 6:4 action [1] - 3:27 actions [3] - 4:19, 33:7, 33:8 actively [1] - 60:28 activity [2] - 32:3, 42:26 actual [3] - 23:43, 55:38, 55:39 add [2] - 32:38, 60:17 added [2] - 13:23, 29:20 addendum [1] - 34:3 addition [1] - 54:4 additional [5] - 13:27, 17:5, 17:43, 47:39, 58:44 address [5] - 10:55, 25:49, 49:22, 58:17, 58:19 addresses [1] - 51:51 addressing [2] - 49:17, 58:18 adjourn [2] - 67:15, 67:16 adjourned [2] - 67:17, 67:19 adjudicated [1] - 27:42 adjustment [1] - 11:5 adjustments [1] - 11:32 administer [2] - 11:26, 47:42 Administration [1] - 56:32 administration [1] - 4:23 administrative [1] - 51:15 admonish [1] - 27:36 adopt [1] - 50:52 Adopting [2] - 40:35, 56:18 adult [1] - 2:44 advantage [1] - 62:19 advertise [1] - 15:28</p>
'	2	4	9		
'12 [1] - 21:40 '13 [2] - 21:40 '15 [1] - 21:41	<p>2 [5] - 43:7, 43:8, 44:17, 44:25 20 [3] - 36:47, 36:48, 59:25 200 [2] - 64:47, 65:3 200-and-some [1] - 20:17 2010 [3] - 5:11, 20:24, 21:38 2011 [1] - 21:40 2013 [3] - 7:8, 13:21, 14:41 2014 [4] - 7:8, 12:51, 13:21, 21:41 2015 [1] - 7:6 2016 [4] - 5:11, 19:6, 19:42, 29:52 2017 [4] - 1:11, 7:6, 18:36, 66:47 2019 [1] - 50:47 2020 [1] - 50:47 207-c [3] - 29:15, 29:18, 32:4 21% [1] - 43:36 23% [1] - 42:18 25 [1] - 2:55 26% [1] - 42:21 26,000 [1] - 42:22 26,457 [2] - 43:56, 44:4 266 [1] - 44:2 275 [3] - 19:8, 30:51, 31:21 276 [1] - 16:16 28 [1] - 21:41 29 [1] - 13:17 298 [1] - 44:3</p>	<p>4 [3] - 26:47, 27:21, 43:19 4-A [2] - 26:48, 27:24 40 [1] - 54:1 401 [3] - 19:8, 30:51, 30:55 42 [2] - 30:35, 32:13 43's [1] - 19:7 46 [1] - 13:3 47 [1] - 9:3</p>	<p>90 [1] - 17:4 90% [1] - 14:45 911 [2] - 18:45, 51:48 9:30 [1] - 1:11 9:41 [1] - 2:1</p>	A	
1	3	5	a.m		
<p>1 [5] - 1:11, 26:48, 27:24, 47:31, 47:46 10 [3] - 36:45, 36:54, 40:6 10% [3] - 13:11, 13:18, 43:20 100 [2] - 13:3, 20:19 100% [12] - 7:15, 8:18, 8:28, 12:4, 12:6, 12:19, 12:36, 13:5, 13:21, 13:32, 14:8, 14:21 1007-17 [1] - 40:34 11% [1] - 42:18 112 [1] - 18:36 115 [1] - 30:41 12 [3] - 19:42, 20:18, 55:10 12.50 [1] - 54:6 127 [5] - 19:9, 29:53, 30:5, 30:16, 30:34 1271 [1] - 56:18 128 [1] - 44:3 12:01 [1] - 67:19 13% [1] - 43:36 13,000 [3] - 42:24, 48:11, 48:12 136 [1] - 18:36 1392 [1] - 56:30 14 [1] - 21:40 14-year-old [1] - 2:39 1413 [1] - 56:46 1414 [1] - 61:4 1415 [1] - 63:31 1416 [2] - 63:21, 63:43 1417 [1] - 13:54 1419 [1] - 66:33</p>	<p>3 [2] - 54:1, 59:21</p>	<p>5 [2] - 47:31, 50:48 5-3-0-0/Opposed [1] - 56:11 50 [3] - 13:22, 42:29, 54:1 50% [2] - 42:28, 46:49 53-year-old [1] - 2:44 550 [1] - 2:35 58 [3] - 19:8, 30:51, 31:21 59 [1] - 20:18 5th [1] - 1:39</p>	<p>a.m [2] - 1:11, 2:1 abilities [1] - 61:38 ability [3] - 28:35, 42:38, 46:23 able [20] - 5:19, 10:55, 11:19, 14:37, 17:27, 17:28, 17:56, 18:51, 26:27, 28:35, 32:40, 33:27, 34:23, 46:43, 47:36, 49:45, 52:39, 54:26, 63:7 abroad [1] - 2:12 absolutely [7] - 4:22, 12:15, 13:35, 24:55, 29:44, 60:47, 63:11 Abstentions [9] - 56:27, 61:1, 61:14, 63:28, 63:40, 66:30, 66:42, 66:55, 67:12 abstentions [1] - 56:43 acceptable [1] - 2:44 Accepting [3] - 56:30, 66:45, 67:2 access [3] - 42:44, 42:46, 51:51 accident [6] - 7:6, 8:43, 10:51, 12:7, 12:32, 22:13 accidents [13] - 5:4, 5:22, 8:26, 10:34, 10:49, 12:3, 12:6, 12:12, 12:26, 12:36, 13:4, 13:5 accommodate [1] - 64:21 accommodating [1] - 41:5 accomplishments [1] - 19:15 according [1] - 12:27</p>	<p>abilities [1] - 61:38 ability [3] - 28:35, 42:38, 46:23 able [20] - 5:19, 10:55, 11:19, 14:37, 17:27, 17:28, 17:56, 18:51, 26:27, 28:35, 32:40, 33:27, 34:23, 46:43, 47:36, 49:45, 52:39, 54:26, 63:7 abroad [1] - 2:12 absolutely [7] - 4:22, 12:15, 13:35, 24:55, 29:44, 60:47, 63:11 Abstentions [9] - 56:27, 61:1, 61:14, 63:28, 63:40, 66:30, 66:42, 66:55, 67:12 abstentions [1] - 56:43 acceptable [1] - 2:44 Accepting [3] - 56:30, 66:45, 67:2 access [3] - 42:44, 42:46, 51:51 accident [6] - 7:6, 8:43, 10:51, 12:7, 12:32, 22:13 accidents [13] - 5:4, 5:22, 8:26, 10:34, 10:49, 12:3, 12:6, 12:12, 12:26, 12:36, 13:4, 13:5 accommodate [1] - 64:21 accommodating [1] - 41:5 accomplishments [1] - 19:15 according [1] - 12:27</p>	
		6			
		7			
		<p>63 [1] - 21:41</p>			
		<p>7 [1] - 20:18 7-0-0-1/Not [2] - 61:2, 66:43 70% [1] - 42:29 72 [1] - 16:47 725 [1] - 1:9 75% [1] - 66:45 78 [1] - 7:3</p>			

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>advising [2] - 16:56, 17:1</p> <p>Affairs [21] - 15:54, 16:12, 16:13, 16:16, 16:18, 16:21, 16:41, 17:46, 18:6, 18:24, 28:52, 31:33, 34:24, 34:39, 38:33, 38:47, 39:2, 39:13, 39:39, 40:27, 52:34</p> <p>afford [1] - 26:19</p> <p>afterwards [1] - 17:4</p> <p>agencies [4] - 60:27, 64:22, 64:23, 65:6</p> <p>agency [1] - 6:41</p> <p>Agency [2] - 6:49, 67:4</p> <p>agenda [1] - 40:34</p> <p>ago [10] - 4:55, 5:23, 5:25, 15:17, 19:23, 25:16, 28:19, 34:28, 36:48, 64:17</p> <p>agree [4] - 41:28, 45:36, 45:40, 47:54</p> <p>agreed [1] - 53:52</p> <p>agreement [1] - 27:43</p> <p>Agreement [3] - 16:22, 16:23, 37:20</p> <p>ahead [6] - 2:17, 4:36, 4:42, 12:48, 18:37, 52:12</p> <p>Aide [3] - 1:30, 1:31, 1:32</p> <p>Alarm [1] - 43:14</p> <p>alarm [56] - 12:8, 12:31, 13:8, 40:35, 41:37, 41:38, 41:51, 42:2, 42:17, 42:56, 43:17, 43:20, 43:31, 44:7, 44:23, 44:24, 44:28, 44:45, 44:54, 45:1, 48:54, 49:3, 49:6, 49:8, 49:29, 49:30, 49:33, 49:42, 49:43, 49:44, 51:46, 51:52, 51:56, 52:19, 52:20, 52:29, 52:40, 52:45, 52:50, 52:53, 52:56, 53:13, 53:39, 54:19, 54:20, 54:22, 54:26, 54:46, 54:48, 54:53, 55:17</p> <p>alarms [43] - 12:6, 41:25, 41:31, 41:34, 41:50, 41:53, 41:54, 42:1, 42:16, 42:22, 42:23, 42:26, 42:30, 43:3, 43:9, 43:10, 43:11, 43:15, 43:21, 43:30, 43:31, 43:41,</p>	<p>43:42, 45:49, 46:34, 46:36, 46:37, 46:42, 46:49, 47:26, 47:47, 47:49, 48:19, 48:35, 48:48, 49:20, 49:28, 54:45, 54:46, 54:47, 55:2, 55:39</p> <p>Alert [1] - 21:45</p> <p>Alexander [1] - 1:32</p> <p>Allegiance [1] - 2:6</p> <p>allocated [1] - 14:15</p> <p>allow [7] - 47:20, 53:31, 53:39, 54:42, 61:39, 62:12, 62:13</p> <p>allowance [2] - 3:12, 49:27</p> <p>allowed [3] - 5:53, 5:54, 37:15</p> <p>allowing [1] - 2:22</p> <p>allows [6] - 42:35, 42:37, 42:51, 43:26, 43:42, 48:41</p> <p>almost [1] - 65:52</p> <p>alone [3] - 42:32, 46:56, 47:10</p> <p>altered [1] - 26:40</p> <p>Alyssa [1] - 1:30</p> <p>ambiguity [1] - 43:29</p> <p>amen [1] - 4:26</p> <p>amending [1] - 66:47</p> <p>Amendment [3] - 2:48, 2:53, 3:13</p> <p>amount [19] - 19:51, 29:27, 29:33, 32:27, 33:15, 38:41, 41:25, 42:23, 46:21, 46:24, 46:28, 46:31, 46:34, 54:3, 54:12, 56:31, 60:15, 66:46, 67:2</p> <p>amounts [1] - 58:25</p> <p>Amy [1] - 1:28</p> <p>analogy [1] - 13:8</p> <p>analysis [1] - 10:49</p> <p>Analyst/Legislative [1] - 1:29</p> <p>analyze [2] - 5:53, 12:48</p> <p>analyzing [1] - 7:20</p> <p>angry [1] - 28:44</p> <p>annual [2] - 5:11, 5:17</p> <p>anonymous [5] - 17:18, 17:19, 17:21, 37:33, 37:42</p> <p>anonymously [4] - 17:20, 37:44, 37:52, 37:56</p> <p>answer [7] - 6:22, 7:11, 30:9, 32:15, 34:27, 37:2, 61:20</p> <p>answers [1] - 58:49</p>	<p>Anti [1] - 3:32</p> <p>Anti-Bias [1] - 3:32</p> <p>anyway [7] - 41:11, 45:24, 48:18, 51:45, 53:12, 53:34, 65:33</p> <p>apologize [3] - 8:12, 14:37, 49:22</p> <p>appeal [7] - 6:53, 34:23, 34:32, 34:39, 34:56, 49:29</p> <p>appeals [3] - 47:4, 47:8</p> <p>applications [1] - 54:44</p> <p>apply [1] - 43:24</p> <p>appreciate [18] - 4:29, 11:44, 13:54, 24:27, 25:4, 31:45, 39:30, 39:38, 39:49, 47:19, 49:23, 49:52, 52:3, 53:48, 59:43, 60:35, 66:23</p> <p>appreciation [1] - 46:16</p> <p>approaching [1] - 59:22</p> <p>appropriate [3] - 5:43, 22:27, 58:25</p> <p>appropriately [2] - 16:14, 22:52</p> <p>appropriating [3] - 56:30, 66:45, 67:2</p> <p>Appropriating [4] - 56:46, 61:4, 63:31, 63:43</p> <p>approval [1] - 56:18</p> <p>approve [13] - 40:36, 51:12, 55:48, 56:35, 56:48, 60:56, 61:12, 63:39, 63:46, 66:29, 66:35, 66:49, 67:11</p> <p>approved [8] - 56:43, 61:1, 63:28, 63:40, 66:30, 66:42, 66:56, 67:12</p> <p>Approved [8] - 56:44, 61:1, 63:28, 63:41, 66:30, 66:42, 66:56, 67:13</p> <p>April [4] - 16:31, 42:14, 42:15, 42:18</p> <p>arbitration [1] - 27:44</p> <p>area [2] - 14:47, 15:29</p> <p>argument [1] - 5:37</p> <p>arm [2] - 6:50, 7:27</p> <p>arming [1] - 52:54</p> <p>arrest [3] - 27:12, 28:41, 28:44</p> <p>arrested [3] - 19:34, 19:36, 39:44</p>	<p>arrests [1] - 28:40</p> <p>Article [1] - 7:3</p> <p>aside [1] - 14:16</p> <p>assault [1] - 17:36</p> <p>assaulting [1] - 17:25</p> <p>assess [2] - 47:45, 47:49</p> <p>assessment [2] - 4:15, 58:24</p> <p>asset [2] - 14:18, 59:20</p> <p>assign [2] - 35:43, 48:35</p> <p>assigned [7] - 10:48, 19:1, 27:28, 31:52, 33:46, 35:42, 49:33</p> <p>assist [1] - 3:34</p> <p>Assistant [1] - 31:48</p> <p>assume [5] - 7:34, 11:35, 41:40, 44:15, 44:44</p> <p>assuming [3] - 6:41, 39:10, 40:28</p> <p>assumption [1] - 43:33</p> <p>astronomical [1] - 26:18</p> <p>attached [1] - 39:24</p> <p>Attachment [2] - 26:48, 27:24</p> <p>attachment [3] - 27:17, 39:19, 39:21</p> <p>attain [1] - 44:31</p> <p>attend [2] - 2:37, 41:6</p> <p>Attendance [1] - 1:24</p> <p>attendants [1] - 5:3</p> <p>attended [1] - 40:6</p> <p>attention [6] - 2:27, 3:9, 4:14, 33:34, 44:54, 58:7</p> <p>attest [1] - 5:8</p> <p>attired [1] - 42:49</p> <p>attorney [1] - 6:48</p> <p>Attorney's [5] - 5:12, 6:51, 31:48, 33:26, 56:33</p> <p>audio [1] - 23:44</p> <p>Audit [9] - 19:1, 19:2, 29:10, 29:19, 30:36, 31:52, 32:36, 32:54, 33:40</p> <p>Auditorium [1] - 1:9</p> <p>authored [1] - 29:21</p> <p>authorized [1] - 33:37</p> <p>authorizes [1] - 14:2</p> <p>Authorizing [1] - 66:33</p> <p>avenue [1] - 60:25</p> <p>average [2] - 65:15, 65:39</p>	<p>aware [3] - 8:42, 47:8, 50:16</p> <p>awesome [1] - 39:49</p>
B				
<p>backdrop [1] - 13:11</p> <p>background [1] - 31:47</p> <p>backlog [6] - 18:38, 19:17, 19:18, 19:22, 20:13, 20:17</p> <p>backwards [2] - 20:26, 20:31</p> <p>backyard [1] - 52:22</p> <p>bad [1] - 24:51</p> <p>badly [1] - 35:22</p> <p>ball [1] - 33:22</p> <p>ballpark [1] - 65:36</p> <p>banks [1] - 44:2</p> <p>Bargaining [1] - 37:20</p> <p>barrier [1] - 22:51</p> <p>barring [1] - 59:2</p> <p>BARRY [99] - 16:1, 16:10, 16:29, 16:37, 19:40, 20:22, 20:45, 20:51, 21:5, 21:11, 21:20, 21:30, 21:37, 21:47, 22:4, 22:25, 22:34, 23:1, 23:11, 23:17, 23:24, 23:30, 23:36, 23:42, 23:49, 24:1, 24:9, 24:31, 24:38, 24:46, 24:54, 25:6, 25:42, 25:48, 25:54, 26:24, 26:33, 26:43, 26:52, 27:2, 27:10, 27:20, 27:30, 27:53, 28:4, 28:13, 28:24, 28:30, 28:48, 29:26, 29:43, 30:1, 30:8, 30:15, 30:21, 30:27, 30:33, 30:44, 30:50, 31:1, 31:9, 31:20, 31:31, 31:55, 32:8, 32:35, 32:47, 32:53, 33:20, 33:43, 33:55, 34:7, 34:13, 34:26, 34:42, 34:48, 35:18, 35:41, 36:3, 36:10, 36:19, 36:27, 36:38, 36:50, 37:1, 37:18, 37:31, 37:38, 38:6, 38:12, 38:18, 38:39, 38:46, 39:15, 39:23, 39:34, 40:1, 40:15, 40:21</p> <p>Barry [4] - 1:36, 15:53, 52:33, 64:32</p> <p>based [7] - 6:29, 7:7,</p>				

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>8:26, 33:17, 41:23, 64:19, 65:51 basis [5] - 6:51, 42:37, 43:25, 44:55, 62:31 Beach [1] - 61:45 became [1] - 50:40 become [3] - 20:31, 47:1, 64:26 becomes [1] - 26:13 behalf [2] - 57:19, 61:33 behavior [2] - 2:44, 3:19 behind [3] - 33:22, 37:42, 58:14 belief [1] - 46:24 believes [1] - 10:53 beloved [1] - 3:11 Ben [2] - 1:42, 64:2 benefit [2] - 42:34, 43:23 benefits [3] - 46:23, 47:41, 48:43 best [3] - 39:11, 39:12, 59:20 better [8] - 19:18, 23:19, 43:40, 44:43, 44:46, 55:39, 58:19, 65:34 between [6] - 13:21, 20:18, 24:16, 32:26, 33:4, 48:50 beyond [1] - 31:33 biannual [2] - 53:54, 54:5 bias [1] - 2:36 Bias [3] - 2:34, 3:32, 3:37 bid [3] - 10:3, 10:4, 66:14 big [6] - 17:52, 18:6, 33:11, 33:33, 35:34, 60:36 bigger [1] - 64:34 biggest [2] - 48:8, 51:11 Bill [2] - 1:40, 61:23 bill [8] - 13:47, 44:25, 50:34, 50:37, 50:44, 53:47, 53:49, 54:9 billed [1] - 49:19 bit [14] - 18:19, 22:35, 31:51, 33:2, 46:51, 47:1, 47:19, 57:6, 63:53, 64:13, 65:34, 65:43, 66:22 black [1] - 5:19 blowing [1] - 39:44 blown [1] - 17:52 Blue [2] - 28:49, 28:54</p>	<p>board [2] - 27:11, 58:37 boats [1] - 14:44 bodies [1] - 54:32 body [3] - 3:15, 3:26 bonehead [1] - 33:12 book [2] - 33:45, 33:48 boss [3] - 38:48, 39:2, 39:4 bottom [2] - 9:19, 54:22 bounce [2] - 38:52, 39:5 boundaries [1] - 62:45 boxes [2] - 15:24, 15:25 boy [1] - 2:42 Braaten [1] - 1:51 branch [1] - 6:22 branch's [2] - 5:13, 5:15 brand [1] - 54:31 break [1] - 52:46 breakage [1] - 49:36 breakdown [5] - 34:5, 43:53, 65:13, 65:14, 65:34 Brentwood [1] - 48:21 Bridget [2] - 1:17, 31:42 brief [1] - 18:35 briefly [2] - 49:5, 49:23 bring [9] - 4:14, 5:56, 7:3, 7:32, 13:28, 27:25, 28:52, 32:37, 54:10 bringing [2] - 2:27, 61:40 broken [1] - 44:2 Brookhaven [1] - 7:37 brought [5] - 5:7, 5:25, 6:24, 32:29, 38:29 Browning [4] - 1:14, 2:21, 20:14, 56:11 BROWNING [151] - 2:3, 2:30, 3:42, 3:49, 4:4, 4:21, 4:28, 4:34, 4:41, 4:47, 5:45, 6:12, 7:13, 7:24, 8:31, 8:50, 9:22, 9:28, 9:35, 9:42, 9:48, 9:54, 10:7, 10:14, 10:20, 10:27, 10:43, 11:2, 11:11, 11:18, 11:28, 11:34, 11:43, 11:49, 11:55, 13:40, 14:26, 14:33,</p>	<p>15:15, 15:32, 15:41, 15:47, 16:7, 16:26, 16:34, 19:20, 19:29, 19:49, 20:7, 22:43, 25:9, 31:40, 34:16, 35:14, 35:26, 37:8, 37:25, 37:35, 37:55, 38:9, 38:15, 38:25, 38:35, 38:43, 39:9, 39:18, 39:27, 39:37, 40:4, 40:18, 40:24, 40:42, 40:49, 40:55, 41:10, 41:21, 43:45, 43:51, 44:6, 44:14, 44:22, 44:33, 45:3, 45:10, 45:17, 45:23, 45:29, 45:35, 45:43, 45:51, 46:12, 49:54, 50:6, 50:12, 50:24, 50:36, 50:46, 50:55, 51:7, 51:29, 52:11, 52:18, 52:37, 53:3, 53:19, 53:25, 53:33, 53:42, 55:42, 55:55, 56:9, 56:17, 56:24, 56:41, 56:54, 57:4, 57:12, 58:54, 59:33, 59:42, 59:48, 59:54, 60:5, 60:11, 60:34, 60:42, 60:49, 60:55, 61:11, 61:19, 63:19, 63:26, 63:38, 63:51, 64:5, 64:11, 64:39, 64:46, 64:53, 65:11, 65:20, 65:28, 65:38, 66:1, 66:7, 66:13, 66:21, 66:28, 66:40, 66:54, 67:10 Browning [1] - 40:36 bucks [1] - 54:1 Budget [5] - 1:29, 50:52, 51:27, 66:47 budget [4] - 53:52, 54:12, 54:13, 64:27 budgets [1] - 58:21 Building [2] - 1:9, 58:14 building [7] - 14:38, 14:41, 15:1, 15:7, 29:49, 49:8 buildings [2] - 45:14, 45:21 bunch [1] - 18:24 Bureau [1] - 1:41, 1:44, 10:48, 16:13, 16:16, 17:38, 17:45, 33:25, 39:2, 43:14, 61:24 bureaucracies [1] - 33:12</p>	<p>burglar [2] - 43:41, 55:16 burglaries [5] - 43:35, 43:36, 43:39, 43:41 burglarized [2] - 43:24, 49:40 burglarizing [1] - 43:22 burglary [4] - 43:34, 43:38, 49:42, 52:47 burgle [1] - 54:55 burner [1] - 20:31 business [7] - 17:13, 17:49, 17:52, 43:27, 43:34, 43:52, 49:38 busy [1] - 54:21 buy [4] - 47:41, 60:43, 62:12, 66:8</p>	<p>48:16, 49:13, 49:25, 50:2, 50:9, 51:23, 51:37, 51:44, 51:54, 52:5, 52:31, 52:42, 53:15, 53:22, 53:30, 53:36, 54:37, 55:6, 55:12, 55:21, 56:14 cancel [1] - 53:40 canceled [2] - 43:32, 43:37 cancelled [3] - 42:1, 53:28, 53:39 cancelling [1] - 53:37 cane [1] - 29:47 cannot [1] - 26:30 capacity [1] - 18:11 Capital [1] - 66:47 capital [7] - 57:27, 58:2, 58:10, 58:23, 58:26, 62:18, 64:18 capitalize [1] - 62:27 Captain [2] - 17:40, 35:43 Captains [1] - 16:15 car [4] - 35:4, 42:41, 49:34, 52:25 Caracappa [1] - 1:8 card [3] - 2:18, 17:52, 25:56 cards [6] - 4:35, 8:52, 13:41, 13:43, 17:13, 17:49 care [3] - 6:4, 12:11, 12:15 careers [1] - 18:30 careful [2] - 55:45, 56:10 cars [1] - 18:46 case [37] - 3:17, 16:45, 16:48, 16:55, 16:56, 17:5, 17:6, 17:7, 17:39, 17:46, 21:38, 21:39, 22:52, 27:31, 27:39, 27:40, 28:18, 28:22, 28:31, 28:33, 28:34, 32:11, 33:23, 33:32, 34:27, 34:49, 34:53, 35:1, 35:3, 35:9, 35:37, 35:42, 35:45, 36:30, 38:19, 49:28 cases [29] - 16:16, 16:18, 16:43, 18:34, 18:36, 18:40, 19:10, 19:43, 20:18, 20:23, 20:25, 20:26, 20:27, 20:28, 20:32, 20:52, 21:12, 21:13, 21:15, 21:40, 26:9, 26:10, 27:49, 28:5, 28:10,</p>
C				
<p>CALARCO [4] - 52:15, 53:45, 55:15, 55:24 Calarco [9] - 1:15, 40:50, 53:4, 55:49, 56:26, 61:12, 63:39, 66:55, 67:17 Calendar [4] - 56:39, 56:42, 56:44 calendar [1] - 55:3 caller [1] - 17:23 Camera [1] - 5:10 camera [24] - 7:49, 8:44, 9:11, 10:44, 11:4, 11:40, 12:9, 12:12, 13:3, 18:12, 44:38, 44:39, 52:38, 64:6, 64:20, 64:47, 64:51, 65:4, 65:39, 65:45, 65:48, 65:49 cameras [15] - 6:17, 9:5, 9:19, 11:20, 12:3, 12:37, 12:38, 13:22, 29:29, 52:26, 64:26, 65:3, 65:9, 65:12, 65:14 Cameron [4] - 1:35, 8:32, 10:31, 18:33 CAMERON [54] - 10:40, 10:47, 11:8, 11:14, 11:23, 11:31, 11:38, 11:46, 12:14, 12:21, 12:30, 12:41, 12:47, 12:53, 13:7, 13:16, 13:25, 13:34, 41:3, 41:16, 42:10, 43:48, 43:55, 44:10, 44:19, 44:27, 44:49, 45:39, 45:46, 46:27, 46:33, 46:46, 47:38,</p>				

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>29:2, 33:22, 38:49 casings [1] - 49:21 catch [4] - 31:10, 42:47, 43:26, 43:43 catching [2] - 43:21, 55:40 categorize [1] - 49:6 caution [1] - 51:9 CC'd [1] - 8:38 CCTV [3] - 42:46, 43:1 Center [1] - 3:32 central [19] - 43:23, 43:32, 43:33, 43:37, 44:15, 44:24, 44:28, 44:29, 44:34, 44:35, 51:34, 51:46, 51:55, 53:10, 53:11, 53:16, 53:26, 53:56 centralized [1] - 15:26 certain [8] - 3:1, 26:30, 29:39, 38:21, 51:38, 52:46, 53:37, 64:28 certainly [10] - 7:25, 7:29, 11:15, 11:24, 28:42, 39:29, 39:30, 39:38, 39:49, 47:44 Certified [1] - 9:3 chain [1] - 65:25 Chair [8] - 1:15, 2:21, 7:9, 13:55, 20:11, 46:4, 53:46, 57:10 chair [1] - 33:5 CHAIRPERSON [151] - 2:3, 2:30, 3:42, 3:49, 4:4, 4:21, 4:28, 4:34, 4:41, 4:47, 5:45, 6:12, 7:13, 7:24, 8:31, 8:50, 9:22, 9:28, 9:35, 9:42, 9:48, 9:54, 10:7, 10:14, 10:20, 10:27, 10:43, 11:2, 11:11, 11:18, 11:28, 11:34, 11:43, 11:49, 11:55, 13:40, 14:26, 14:33, 15:15, 15:32, 15:41, 15:47, 16:7, 16:26, 16:34, 19:20, 19:29, 19:49, 20:7, 22:43, 25:9, 31:40, 34:16, 35:14, 35:26, 37:8, 37:25, 37:35, 37:55, 38:9, 38:15, 38:25, 38:35, 38:43, 39:9, 39:18, 39:27, 39:37, 40:4, 40:18, 40:24, 40:42, 40:49, 40:55, 41:10, 41:21, 43:45, 43:51, 44:6, 44:14,</p>	<p>44:22, 44:33, 45:3, 45:10, 45:17, 45:23, 45:29, 45:35, 45:43, 45:51, 46:12, 49:54, 50:6, 50:12, 50:24, 50:36, 50:46, 50:55, 51:7, 51:29, 52:11, 52:18, 52:37, 53:3, 53:19, 53:25, 53:33, 53:42, 55:42, 55:55, 56:9, 56:17, 56:24, 56:41, 56:54, 57:4, 57:12, 58:54, 59:33, 59:42, 59:48, 59:54, 60:5, 60:11, 60:34, 60:42, 60:49, 60:55, 61:11, 61:19, 63:19, 63:26, 63:38, 63:51, 64:5, 64:11, 64:39, 64:46, 64:53, 65:11, 65:20, 65:28, 65:38, 66:1, 66:7, 66:13, 66:21, 66:28, 66:40, 66:54, 67:10 Chairperson [2] - 1:14, 56:11 chance [3] - 28:42, 41:38, 55:39 change [11] - 17:2, 17:8, 17:16, 18:2, 22:22, 28:22, 38:3, 44:42, 44:43, 51:17, 60:16 changed [6] - 3:16, 4:9, 18:16, 22:10, 25:55, 38:41 changes [8] - 11:21, 16:41, 17:7, 17:11, 17:31, 40:8, 46:52, 53:53 charge [4] - 7:9, 7:10, 47:31, 48:48 charged [2] - 2:35, 7:36 charges [7] - 19:42, 19:44, 20:37, 22:9, 27:27, 27:39, 27:41 cheap [1] - 65:53 cheating [1] - 9:8 check [12] - 19:4, 30:19, 30:55, 43:49, 44:39, 49:34, 51:39, 52:26, 52:28, 52:35, 52:44 checked [1] - 43:1 checking [2] - 18:54, 37:12 checks [15] - 18:45, 19:5, 19:7, 19:8, 19:9, 29:54, 30:5,</p>	<p>30:16, 30:45, 30:51, 31:18, 31:21, 32:29, 32:32, 48:20 CHIARAMONTE [14] - 64:1, 64:8, 64:15, 64:43, 64:50, 65:1, 65:17, 65:23, 65:31, 65:41, 66:4, 66:10, 66:16, 66:25 Chiaramonte [2] - 1:42, 64:2 chief [3] - 40:56, 46:20, 51:21 CHIEF [54] - 10:40, 10:47, 11:8, 11:14, 11:23, 11:31, 11:38, 11:46, 12:14, 12:21, 12:30, 12:41, 12:47, 12:53, 13:7, 13:16, 13:25, 13:34, 41:3, 41:16, 42:10, 43:48, 43:55, 44:10, 44:19, 44:27, 44:49, 45:39, 45:46, 46:27, 46:33, 46:46, 47:38, 48:16, 49:13, 49:25, 50:2, 50:9, 51:23, 51:37, 51:44, 51:54, 52:5, 52:31, 52:42, 53:15, 53:22, 53:30, 53:36, 54:37, 55:6, 55:12, 55:21, 56:14 Chief [20] - 1:28, 1:34, 1:35, 1:44, 8:32, 10:31, 11:53, 13:41, 16:15, 18:32, 18:33, 31:34, 31:35, 47:18, 49:1, 51:33, 54:15, 54:33, 55:2, 58:41 chiefs [1] - 62:31 child [1] - 37:13 Child [1] - 64:23 choice [1] - 42:40 choose [1] - 27:44 church [1] - 59:36 Cilmi [7] - 1:16, 4:56, 40:43, 45:40, 56:12, 63:39, 67:11 circulated [1] - 26:50 circumstances [1] - 53:37 cited [3] - 3:2, 3:4, 3:21 citizens [1] - 41:43 City [7] - 18:25, 38:26, 38:27, 38:29, 38:33, 38:47, 38:50 Civello [1] - 1:39 civilian [3] - 19:33, 19:37, 34:39</p>	<p>clarification [2] - 20:13, 21:26 clarify [1] - 14:21 classes [1] - 66:19 cleaned [1] - 18:39 clear [7] - 3:29, 5:22, 9:12, 9:19, 19:16, 33:52, 33:53 clearing [4] - 4:55, 5:1, 19:22 clearly [2] - 25:15, 42:42 Clerk [1] - 2:23 Clerk/Suffolk [1] - 1:28 Clinton [1] - 15:18 close [5] - 3:9, 38:48, 39:4, 42:28, 46:49 closed [17] - 16:16, 16:17, 16:24, 16:39, 17:1, 17:6, 17:7, 18:36, 20:53, 21:15, 21:23, 33:34, 49:31, 49:32, 49:46, 52:21, 52:52 closely [1] - 60:29 closes [1] - 49:3 closing [1] - 16:22 closures [1] - 26:9 clothing [1] - 42:49 CO [1] - 24:2 Co [8] - 56:35, 56:47, 61:6, 63:33, 63:44, 66:34, 66:48, 67:5 Coast [1] - 43:3 code [6] - 27:6, 27:14, 34:5, 39:19, 39:20 codes [2] - 29:18, 31:6 Coffee [1] - 39:53 colleagues [2] - 40:30, 50:13 collect [2] - 51:48 collecting [1] - 51:34 Collective [1] - 37:20 College [1] - 3:33 coming [8] - 7:15, 14:16, 18:34, 39:30, 51:16, 51:21, 54:45, 62:22 Commack [2] - 4:53, 13:4 command [13] - 15:34, 15:38, 19:45, 23:51, 27:28, 27:31, 27:33, 27:37, 27:50, 28:5, 28:6, 65:25 Commanding [4] - 27:34, 30:36, 34:29, 61:24 commands [1] - 19:45</p>	<p>commend [1] - 20:12 comment [1] - 40:27 commenting [1] - 4:56 comments [1] - 4:29 commercial [7] - 42:36, 42:39, 42:44, 43:36, 44:1, 44:3, 45:21 Commissary [1] - 66:34 Commission [4] - 3:31, 3:44, 3:52, 4:8 Commissioner [18] - 10:33, 12:4, 12:28, 13:45, 14:38, 15:53, 16:12, 20:11, 20:16, 22:47, 32:25, 38:47, 52:32, 60:9, 60:21, 60:26, 61:51, 64:31 COMMISSIONER [106] - 13:53, 14:40, 14:53, 15:6, 15:21, 15:37, 15:44, 16:1, 16:10, 16:29, 16:37, 19:40, 20:22, 20:45, 20:51, 21:5, 21:11, 21:20, 21:30, 21:37, 21:47, 22:4, 22:25, 22:34, 23:1, 23:11, 23:17, 23:24, 23:30, 23:36, 23:42, 23:49, 24:1, 24:9, 24:31, 24:38, 24:46, 24:54, 25:6, 25:42, 25:48, 25:54, 26:24, 26:33, 26:43, 26:52, 27:2, 27:10, 27:20, 27:30, 27:53, 28:4, 28:13, 28:24, 28:30, 28:48, 29:26, 29:43, 30:1, 30:8, 30:15, 30:21, 30:27, 30:33, 30:44, 30:50, 31:1, 31:9, 31:20, 31:31, 31:55, 32:8, 32:35, 32:47, 32:53, 33:20, 33:43, 33:55, 34:7, 34:13, 34:26, 34:42, 34:48, 35:18, 35:41, 36:3, 36:10, 36:19, 36:27, 36:38, 36:50, 37:1, 37:18, 37:31, 37:38, 38:6, 38:12, 38:18, 38:39, 38:46, 39:15, 39:23, 39:34, 40:1, 40:15, 40:21 Commissioner/Fire [1] - 1:38 Commissioner/ Suffolk [1] - 1:36</p>
--	--	--	--	--

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>committed [1] - 43:43 committee [10] - 3:28, 4:9, 4:13, 7:14, 7:16, 7:25, 29:22, 34:22, 41:4, 41:36 COMMITTEE [1] - 1:1 Committee [4] - 1:7, 2:5, 4:10, 33:5 committees [2] - 13:55, 13:56 committing [1] - 42:47 common [3] - 22:49, 36:40, 36:43 communicate [2] - 18:47, 18:51 communicates [1] - 10:53 communicating [2] - 18:20, 58:33 communication [3] - 33:33, 56:48, 62:25 Communication [1] - 56:46 Communications [3] - 1:43, 1:44 communications [9] - 14:28, 57:24, 57:26, 58:2, 58:12, 58:13, 58:17, 58:40, 59:40 Community [1] - 3:33 community [3] - 3:40, 17:14, 17:49 Comp [1] - 29:38 companies [3] - 44:16, 44:45, 51:52 company [4] - 7:34, 41:46, 51:35, 51:47 compared [1] - 18:36 compile [6] - 5:11, 5:14, 5:17, 5:53, 6:34 compiles [2] - 5:14, 5:54 complainant [1] - 16:55 complainants [2] - 16:43, 18:50 complaint [18] - 16:45, 16:47, 16:50, 17:10, 17:15, 17:25, 17:30, 18:2, 24:40, 25:37, 28:10, 28:53, 34:37, 34:38, 37:27, 37:53, 38:1, 38:13 complaints [28] - 16:44, 17:9, 18:6, 18:8, 19:33, 19:35, 19:36, 19:37, 19:52, 22:49, 27:8, 27:11, 27:12, 27:49, 28:19,</p>	<p>28:41, 28:45, 28:55, 28:56, 33:4, 33:18, 35:16, 35:22, 37:40, 39:47, 41:23, 49:18 component [3] - 42:32, 42:52, 43:17 components [1] - 44:51 compose [1] - 6:34 comprehensive [1] - 31:28 computer [1] - 28:53 concentration [2] - 27:7, 27:8 concern [9] - 12:28, 12:37, 24:24, 25:15, 28:18, 29:11, 36:1, 48:49, 51:11 concerned [2] - 13:21, 13:26 concerning [2] - 6:56, 7:7 concerns [1] - 41:23 concurrently [1] - 46:43 condition [1] - 58:24 conduct [2] - 17:35, 27:41 conducting [1] - 32:32 Conex [2] - 15:24, 15:25 conference [1] - 15:18 confirm [1] - 48:47 congratulated [1] - 16:20 Congressman [1] - 15:18 connection [5] - 56:46, 61:4, 63:31, 63:43, 66:48 conscience [1] - 2:41 conscious [1] - 44:45 Consent [4] - 56:39, 56:42, 56:43, 56:44 consequences [1] - 46:55 consider [3] - 12:31, 52:29, 52:45 considerably [1] - 32:31 considering [1] - 53:56 constantly [1] - 58:33 constituent [1] - 41:23 constituents [1] - 41:30 Constitution [1] - 2:52 Constitution's [1] - 2:47 construed [1] - 17:36</p>	<p>consultant [1] - 33:38 contact [8] - 16:52, 32:4, 32:9, 42:35, 42:37, 42:38, 42:45 continue [11] - 5:49, 24:28, 41:49, 43:9, 43:15, 43:39, 44:41, 45:36, 46:39, 47:49, 53:5 continues [1] - 51:15 contract [4] - 7:33, 14:3, 32:4, 54:41 contract's [1] - 54:42 contracted [1] - 7:33 contractors [1] - 9:9 conversation [3] - 15:51, 60:14, 60:26 conversations [3] - 58:34, 58:42, 60:30 Cop [1] - 39:53 copies [6] - 6:23, 26:6, 26:34, 26:35, 26:40 copy [4] - 19:23, 25:39, 26:12, 26:13 Core [1] - 61:5 corner [1] - 58:13 correct [14] - 4:5, 10:37, 13:17, 26:44, 30:2, 39:16, 39:29, 49:14, 50:28, 51:17, 55:22, 62:5, 62:48 corrected [1] - 18:20 correctly [1] - 16:38 cost [27] - 14:6, 14:8, 33:9, 33:23, 43:13, 46:35, 46:43, 47:22, 47:29, 47:35, 47:43, 47:44, 47:48, 47:50, 48:9, 50:41, 50:42, 51:4, 54:1, 54:10, 55:36, 59:23, 64:12, 65:15, 65:39, 65:44 costs [2] - 33:14, 51:15 Counsel [3] - 4:2, 6:38, 8:8 counsel [1] - 24:3 Counsel/Suffolk [1] - 1:27 counseled [1] - 24:33 country [7] - 2:12, 18:25, 28:51, 33:32, 39:13, 44:52, 54:32 COUNTY [1] - 1:5 county [1] - 3:40 County [49] - 1:8, 1:27, 1:28, 1:33, 1:34, 1:35, 1:36, 1:37, 1:42, 2:56, 3:11, 3:17, 3:20,</p>	<p>3:31, 5:12, 5:48, 6:51, 8:43, 9:3, 9:55, 10:54, 13:14, 14:8, 14:13, 14:47, 14:54, 15:27, 19:7, 29:40, 31:25, 33:23, 33:26, 39:42, 44:8, 47:25, 48:32, 48:43, 50:42, 51:52, 54:3, 56:33, 57:26, 57:28, 58:4, 58:12, 60:24, 60:27, 61:37, 64:22 County's [3] - 3:32, 9:5, 58:37 countywide [3] - 57:21, 61:17, 61:33 couple [5] - 13:45, 14:5, 23:50, 31:41, 65:9 course [6] - 6:52, 39:45, 47:43, 55:19, 55:26, 58:19 Court [2] - 1:51, 45:54 court [2] - 7:27, 65:7 courts [2] - 6:50, 6:53 cover [3] - 43:13, 47:48, 55:36 coverage [3] - 32:41, 58:5, 58:6 covertly [2] - 32:10, 32:18 CP [5] - 56:47, 61:5, 63:32, 63:44, 66:48 cracked [1] - 49:3 crashes [7] - 11:41, 12:15, 12:16, 13:10, 13:26, 13:28, 22:12 create [2] - 3:17, 26:26 created [5] - 17:13, 17:17, 17:33, 26:26, 32:36 credentials [2] - 4:51, 6:24 cremation [1] - 56:18 crime [10] - 2:36, 2:37, 17:43, 43:2, 48:31, 49:41, 52:49, 62:14, 62:45, 62:53 Crime [1] - 65:4 crimes [4] - 2:55, 3:52, 42:47, 43:43 criminal [15] - 3:24, 5:26, 5:47, 17:37, 17:39, 21:38, 22:5, 22:7, 22:8, 22:18, 22:29, 49:42, 54:51, 54:55 criminally [1] - 21:39 criminals [1] - 55:39 critical [2] - 32:22,</p>	<p>32:23 Critical [7] - 17:33, 17:37, 21:44, 21:48, 21:51, 22:16 criticism [1] - 47:23 cross [1] - 13:56 crossed [1] - 39:35 cuffing [1] - 28:43 culture [1] - 37:39 curiosity [1] - 38:26 curious [2] - 38:28, 49:55 current [3] - 15:7, 47:31, 47:33 customers [1] - 42:36 cut [1] - 48:4 cycle [1] - 41:1 Cyclical [1] - 63:31 cycling [2] - 9:12, 10:56</p>
D				
<p>D.A [2] - 31:48, 65:7 D.P.O [1] - 1:15 D.P.O. CALARCO [6] - 40:46, 54:40, 55:9, 61:8, 63:35, 66:51 DA's [1] - 64:23 daily [1] - 5:4 damage [1] - 52:47 damaged [1] - 49:39 data [22] - 5:10, 5:13, 5:17, 5:21, 5:53, 6:16, 6:29, 6:34, 6:44, 7:6, 12:22, 12:25, 12:42, 41:55, 61:39, 61:41, 61:51, 62:14, 62:33, 62:34, 62:42 Data [1] - 63:32 database [2] - 47:31, 48:1 databases [1] - 62:51 date [10] - 5:40, 18:35, 21:12, 21:14, 26:11, 41:28, 41:51, 42:13, 43:35, 49:56 David [2] - 6:48 day's [1] - 27:36 days [12] - 4:55, 5:23, 5:25, 16:55, 17:4, 27:37, 30:38, 32:40, 37:19, 37:20, 48:26 days' [1] - 27:36 DEA [2] - 56:32, 56:34 deal [2] - 65:6, 66:17 dealing [2] - 2:54, 24:25 dealt [1] - 24:23</p>				

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>death [1] - 45:55 debate [4] - 7:28, 41:13, 42:11, 48:46 debated [1] - 53:50 debriefing [1] - 48:21 decent [1] - 65:43 decibel [2] - 3:1, 3:3 decide [3] - 14:51, 50:18, 50:47 decided [3] - 27:49, 28:20, 42:1 decides [1] - 54:55 decision [7] - 6:53, 28:31, 34:23, 42:4, 47:26, 58:35, 58:38 decline [2] - 43:15, 46:38 declining [1] - 46:42 decrease [5] - 43:18, 46:37, 46:43, 47:21, 48:31 decreased [1] - 64:27 deemed [2] - 22:27, 52:20 defend [1] - 2:12 defendant [1] - 3:37 defendants [2] - 2:35, 2:40 definitely [6] - 4:2, 18:37, 19:13, 38:52, 38:55, 38:56 delay [1] - 65:32 delineate [1] - 35:53 Demographic [1] - 26:47 denied [6] - 5:9, 5:11, 5:21, 6:21, 6:29, 6:30 Dennison [1] - 58:14 department [8] - 22:22, 29:38, 35:34, 35:35, 48:9, 54:33, 64:18, 65:52 Department [46] - 1:35, 1:36, 1:37, 8:43, 10:35, 11:4, 12:38, 16:20, 23:18, 24:28, 26:26, 31:26, 33:16, 34:22, 36:5, 36:54, 40:28, 40:29, 40:31, 41:41, 41:45, 41:47, 42:3, 42:25, 42:35, 43:12, 45:49, 46:36, 46:39, 47:22, 47:40, 47:48, 47:51, 48:25, 48:43, 50:3, 53:12, 53:27, 56:32, 58:16, 60:30, 62:41, 64:3, 66:46, 67:3 Department's [4] -</p>	<p>12:10, 22:18, 31:29, 61:37 Department/Suffolk [1] - 1:35 departmental [2] - 22:9 Departments [6] - 58:30, 58:33, 61:40, 61:41, 62:13, 63:7 departments [8] - 28:50, 31:27, 37:43, 42:54, 43:3, 60:13, 62:26, 62:51 Deputy [9] - 1:28, 1:34, 1:36, 1:40, 15:53, 16:15, 20:11, 38:47, 61:23 DEPUTY [114] - 16:1, 16:10, 16:29, 16:37, 19:40, 20:22, 20:45, 20:51, 21:5, 21:11, 21:20, 21:30, 21:37, 21:47, 22:4, 22:25, 22:34, 23:1, 23:11, 23:17, 23:24, 23:30, 23:36, 23:42, 23:49, 24:1, 24:9, 24:31, 24:38, 24:46, 24:54, 25:6, 25:42, 25:48, 25:54, 26:24, 26:33, 26:43, 26:52, 27:2, 27:10, 27:20, 27:30, 27:53, 28:4, 28:13, 28:24, 28:30, 28:48, 29:26, 29:43, 30:1, 30:8, 30:15, 30:21, 30:27, 30:33, 30:44, 30:50, 31:1, 31:9, 31:20, 31:31, 31:55, 32:8, 32:35, 32:47, 32:53, 33:20, 33:43, 33:55, 34:7, 34:13, 34:26, 34:42, 34:48, 35:18, 35:41, 36:3, 36:10, 36:19, 36:27, 36:38, 36:50, 37:1, 37:18, 37:31, 37:38, 38:6, 38:12, 38:18, 38:39, 38:46, 39:15, 39:23, 39:34, 40:1, 40:15, 40:21, 61:22, 61:29, 61:36, 61:47, 61:54, 62:4, 62:11, 62:21, 62:29, 62:39, 62:47, 63:1, 63:10, 63:16, 63:23 describe [1] - 27:26 deserve [1] - 25:4 design [2] - 7:48, 8:16 designating [1] - 3:23</p>	<p>designed [2] - 5:4, 6:2 desk [9] - 18:6, 18:7, 18:12, 18:15, 22:49, 22:54, 24:2, 32:16 detailed [2] - 57:27, 58:11 details [1] - 16:50 Detective [4] - 17:38, 17:45, 17:54, 22:26 Detective/Suffolk [1] - 1:37 Detectives [1] - 22:1 deter [1] - 41:50 determination [3] - 6:51, 9:36, 10:22 determine [8] - 9:18, 27:35, 33:7, 36:34, 36:36, 49:31, 49:45, 59:23 determined [2] - 9:16, 9:17 determining [3] - 9:16, 11:5, 44:12 deters [1] - 41:50 device [1] - 4:53 die [1] - 6:3 died [5] - 5:23, 5:25, 5:55, 5:56, 6:3 difference [3] - 33:11, 33:33, 48:50 different [16] - 17:16, 18:24, 19:7, 19:8, 22:36, 30:51, 31:6, 31:21, 33:45, 35:19, 36:12, 44:2, 53:51, 60:31, 64:32, 65:36 difficult [6] - 3:25, 17:26, 37:41, 37:50, 49:30, 55:33 difficulty [1] - 18:19 digital [6] - 64:16, 64:19, 65:3, 65:4, 65:42, 65:44 digitize [1] - 26:17 digitized [2] - 25:52, 26:22 diligent [3] - 43:30, 44:56, 52:34 direction [1] - 9:10 directions [1] - 5:2 directly [3] - 15:23, 15:24, 66:8 disagree [4] - 7:16, 44:50, 45:36, 45:41 disagreements [1] - 38:2 disappearing [1] - 25:38 disaster [1] - 59:2 disciplinary [3] -</p>	<p>24:29, 33:7, 33:8 discipline [7] - 20:28, 20:56, 27:28, 27:31, 27:33, 27:37, 27:50 disciplines [1] - 19:45 disclosure [3] - 5:16, 5:17, 5:21 discover [2] - 49:39, 52:48 discuss [1] - 39:1 discussion [3] - 3:52, 10:33, 52:32 disguised [1] - 47:24 dispatched [1] - 53:38 displays [2] - 64:32, 65:7 displeasure [1] - 9:4 disrespect [1] - 24:14 disrespectful [1] - 35:5 disrespects [1] - 3:29 disruption [1] - 14:50 distributed [1] - 34:4 district [3] - 8:27, 12:3, 13:31 District [3] - 31:48, 39:3, 56:33 disturbing [1] - 3:2 doc [1] - 37:9 Doc [2] - 45:56, 52:20 doctor [4] - 29:32, 29:47, 29:48, 32:13 doctors [1] - 19:10 document [2] - 33:53, 65:48 Doherty [2] - 1:40, 61:23 DOHERTY [15] - 61:22, 61:29, 61:36, 61:47, 61:54, 62:4, 62:11, 62:21, 62:29, 62:39, 62:47, 63:1, 63:10, 63:16, 63:23 DOJ [3] - 16:22, 16:23, 39:31 dollar [5] - 7:36, 33:15, 46:31, 46:34, 58:25 dollars [3] - 14:23, 15:9, 44:20 done [18] - 9:23, 16:19, 18:42, 18:52, 19:2, 20:27, 22:7, 25:20, 26:14, 32:10, 32:18, 38:28, 39:38, 49:47, 58:5, 58:22, 60:25 door [8] - 25:56, 26:1, 26:3, 48:54, 48:55, 49:1, 49:32</p>	<p>doors [3] - 18:25, 49:34, 52:55 DOT [1] - 10:21 double [2] - 32:51, 32:54 down [19] - 7:37, 12:16, 13:10, 13:14, 13:28, 27:25, 27:26, 29:53, 32:30, 43:35, 43:36, 44:2, 46:49, 47:11, 47:19, 48:4, 54:10 drastic [1] - 46:52 drew [1] - 2:39 drill [1] - 47:19 drive [1] - 49:8 driving [1] - 42:48 dropped [1] - 41:56 dropping [1] - 50:14 Drug [1] - 56:32 due [2] - 12:15, 43:4 during [3] - 42:15, 48:30, 48:46 dust [1] - 49:11 duty [8] - 19:3, 30:28, 31:2, 31:3, 31:17, 32:16, 32:30 DuWayne [2] - 1:25, 35:28 dying [1] - 6:7</p>
E				
<p>E's [1] - 10:51 eagerness [1] - 39:52 early [2] - 19:6, 29:8 ease [1] - 53:49 east [1] - 58:5 East [8] - 58:30, 58:33, 58:45, 61:40, 62:13, 62:31, 64:23 easy [1] - 31:41 echoing [1] - 34:20 economically [1] - 64:30 educate [1] - 33:16 education [2] - 10:52, 33:51 effect [6] - 18:44, 41:12, 42:21, 50:16, 50:27, 53:55 effective [4] - 54:16, 54:25, 54:32, 59:23 efficiency [3] - 45:48, 48:29, 48:41 efficient [1] - 48:42 efficiently [1] - 54:24 effort [4] - 25:4, 33:16, 57:50, 61:34 efforts [1] - 12:16</p>				

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>egregious [1] - 24:15 eight [2] - 33:22, 48:18 eight-hour [1] - 48:18 either [8] - 10:54, 16:48, 21:18, 27:42, 32:12, 38:50, 49:11, 59:21 elected [1] - 2:49 electronically [2] - 26:10, 26:14 element [1] - 2:36 eliminate [7] - 35:32, 35:36, 35:39, 36:13, 40:35, 50:18, 56:18 Ellis [1] - 1:28 email [5] - 16:49, 18:1, 63:44, 65:14, 65:24 emergencies [1] - 37:15 emergency [3] - 14:4, 14:24, 14:44 Emergency [2] - 1:38, 67:4 employee [1] - 23:18 employees [2] - 9:55, 43:13 empty [1] - 15:25 encompass [1] - 57:25 encompassing [1] - 65:8 encourage [2] - 24:28, 54:17 End [8] - 58:30, 58:33, 58:45, 61:40, 62:13, 62:32, 64:23 end [10] - 14:20, 16:38, 18:39, 19:17, 22:28, 32:12, 48:37, 53:51, 54:10, 65:53 energy [1] - 39:51 enforce [1] - 59:24 Enforcement [1] - 56:32 enforcement [1] - 10:52 engineer [5] - 6:1, 9:15, 9:43, 9:49, 11:9 engineer's [1] - 8:5 engineering [3] - 7:34, 10:52, 10:53 engineers [5] - 9:10, 9:17, 9:46, 9:55, 10:8 England [1] - 3:24 English [3] - 16:42, 17:14, 17:51 enhancements [1] -</p>	<p>58:4 enter [1] - 14:2 entirely [1] - 51:38 entities [1] - 60:32 equate [1] - 12:31 equates [1] - 42:22 Equipment [2] - 63:43, 66:48 equipment [10] - 14:56, 57:26, 57:56, 58:1, 58:7, 58:21, 64:20, 64:29, 64:36, 65:50 especially [5] - 2:54, 7:20, 10:34, 35:4, 39:40 established [1] - 9:12 event [1] - 3:10 eventually [2] - 3:28, 4:19 everywhere [1] - 39:54 evidence [10] - 5:22, 29:32, 29:48, 34:52, 35:2, 35:8, 42:4, 52:24, 52:44, 55:44 exact [3] - 19:41, 19:47, 34:32 exactly [3] - 43:10, 44:7, 45:40 example [6] - 17:24, 34:38, 36:14, 48:53, 57:56, 59:18 exception [1] - 23:3 excessive [1] - 41:25 Exec's [1] - 5:48 Exec.) [8] - 56:35, 56:47, 61:6, 63:33, 63:44, 66:34, 66:49, 67:5 Executive [4] - 15:50, 40:12, 62:30, 67:16 Executive's [1] - 1:33 exempt [2] - 6:50, 24:52 exercise [1] - 24:28 exercising [1] - 14:9 existing [1] - 58:36 expansion [1] - 58:44 expect [3] - 42:29, 49:32, 49:40 expectancy [1] - 59:2 expectation [1] - 52:47 expense [3] - 26:18, 47:25, 48:8 expenses [1] - 48:14 expensive [3] - 33:6, 33:38, 65:50 experience [3] -</p>	<p>21:52, 31:46, 41:23 expertise [1] - 11:16 expired [3] - 20:52, 21:15, 54:43 express [1] - 9:4 Expressway [1] - 4:54 extend [1] - 58:5 extremely [2] - 33:6, 42:12</p>	<p>11:41, 13:10 fatalities [4] - 8:44, 10:34, 13:14, 13:22 fatality [1] - 11:3 fault [1] - 9:8 favor [12] - 55:56, 56:26, 56:43, 60:56, 61:13, 63:27, 63:40, 66:29, 66:42, 66:55, 67:12 favoritism [1] - 35:39 feasible [1] - 64:30 February [2] - 42:27, 46:49 Federal [6] - 14:14, 14:45, 39:2, 41:7, 56:31, 67:4 fee [34] - 40:35, 41:33, 41:44, 42:34, 42:51, 42:54, 43:6, 43:7, 43:12, 44:37, 44:41, 44:50, 45:5, 45:21, 45:33, 45:53, 45:54, 45:56, 46:22, 46:38, 47:11, 47:21, 47:30, 48:48, 50:14, 51:4, 53:54, 53:56, 54:4, 54:5, 55:33, 55:43, 56:18 feelings [1] - 4:15 fees [5] - 45:52, 45:54, 49:55, 50:7, 50:10 felt [1] - 58:18 FEMA [3] - 15:23, 15:29 few [6] - 2:34, 17:16, 18:40, 24:16, 29:8, 36:12 fewer [1] - 43:41 Field [9] - 19:1, 29:10, 29:19, 30:36, 31:52, 32:36, 32:54, 33:40 field [1] - 19:2 fifth [1] - 28:32 fifty [1] - 30:45 fifty-two [1] - 30:45 figure [1] - 36:34 file [2] - 26:7, 26:13 files [9] - 25:38, 25:39, 26:6, 26:7, 26:8, 26:14, 26:17, 26:22 fill [2] - 26:27, 57:50 film [1] - 64:19 film-based [1] - 64:19 findings [1] - 22:53 fine [7] - 23:50, 39:28, 41:31, 47:31, 54:56, 55:3, 55:19 fined [1] - 41:56 finest [8] - 41:50,</p>	<p>41:53, 44:42, 49:56, 50:7, 50:10, 51:14, 53:5 fingerprints [1] - 49:11 fingers [1] - 39:35 finished [1] - 58:16 fire [1] - 60:13 First [5] - 2:47, 2:52, 3:12, 35:54, 36:14 first [15] - 4:13, 5:46, 6:47, 14:9, 14:55, 17:4, 20:16, 20:55, 25:14, 25:55, 32:48, 33:6, 41:32, 60:37, 64:17 fit [1] - 58:23 five [4] - 14:9, 21:40, 27:37, 31:17 five-year [1] - 14:9 Flatley [1] - 58:41 Fleming [6] - 1:17, 1:31, 2:27, 40:56, 55:56, 57:5 Fleming's [1] - 2:25 flesh [1] - 35:24 flop [1] - 35:44 fluent [2] - 18:15, 18:19 focuses [1] - 44:54 FOIL [4] - 5:9, 6:49, 6:50, 8:42 FOILable [1] - 6:44 FOILed [5] - 6:16, 6:17, 6:28, 6:30, 7:17 folklore [1] - 29:37 folks [4] - 28:19, 29:8, 47:43, 51:35 follow [3] - 3:51, 31:51, 48:51 following [1] - 51:13 followup [3] - 30:12, 32:5, 35:31 foot [2] - 17:50 forbid [1] - 4:17 Force [2] - 3:32, 56:34 forced [1] - 50:49 form [1] - 3:27 formal [1] - 48:52 former [2] - 4:22, 31:48 forms [2] - 26:25, 26:27 forth [2] - 41:13, 62:15 fortunate [1] - 31:46 forward [1] - 17:26, 17:47, 19:16, 20:23, 26:22, 37:41, 37:50, 55:34, 58:48, 61:39,</p>
F				
<p>face [3] - 7:38, 7:39, 24:17 faces [1] - 29:39 facilities [2] - 57:24, 58:6 facility [2] - 14:54, 57:56 fact [12] - 4:56, 5:8, 5:21, 12:8, 12:15, 13:3, 39:39, 40:6, 43:25, 43:34, 43:37, 44:45 facts [1] - 19:54 failure [1] - 24:15 fair [1] - 41:43 fairly [1] - 58:24 fall [2] - 43:9, 43:20 falls [1] - 3:44 false [54] - 12:31, 13:8, 41:25, 41:38, 41:50, 41:51, 41:53, 41:54, 42:2, 42:22, 42:26, 42:29, 43:3, 43:8, 43:10, 43:11, 43:15, 43:17, 43:20, 43:30, 43:42, 45:49, 46:36, 46:37, 46:42, 46:49, 47:47, 48:19, 48:48, 48:50, 49:6, 49:8, 49:19, 49:28, 49:30, 49:41, 49:43, 51:45, 51:46, 51:56, 52:20, 52:29, 52:40, 52:45, 52:50, 53:13, 54:45, 54:46, 54:47, 55:2 familiar [5] - 36:46, 38:28, 38:36, 42:56, 47:5 family [2] - 37:13, 37:16 fan [2] - 9:7 far [6] - 5:55, 21:27, 24:16, 43:26, 46:34, 46:50 faster [2] - 43:20, 43:41 fatal [4] - 10:49, 10:50,</p>				

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>65:24 four [6] - 14:9, 14:17, 21:28, 31:56, 32:3, 32:38 frame [1] - 20:36 framed [1] - 17:52 framers [1] - 2:52 Fred [1] - 62:30 free [4] - 2:56, 13:27, 48:28, 48:29 freebies [1] - 54:49 freed [2] - 48:11, 55:38 freedom [1] - 2:48 freeing [2] - 13:8, 54:23 Freeman [2] - 8:38, 8:39 FRES [5] - 14:2, 14:50, 59:55, 60:20, 60:29 friendly [1] - 24:18 friends [1] - 36:29 front [5] - 8:44, 12:22, 29:46, 29:49, 47:55 full [3] - 14:46, 62:26, 65:4 fully [4] - 16:13, 47:12, 52:35, 52:44 Fund [1] - 66:34 fund [1] - 58:3 funded [3] - 14:8, 14:21, 14:22 funding [4] - 15:19, 56:31, 58:23, 64:18 funds [11] - 14:13, 14:19, 56:46, 58:20, 60:23, 61:4, 63:31, 63:43, 64:27, 66:33, 67:2 funny [1] - 6:7 furtherance [2] - 61:55, 62:40 furthermore [1] - 5:9 future [8] - 14:15, 16:23, 42:52, 50:19, 54:35, 54:42, 58:43, 58:44</p>	<p>generally [4] - 19:52, 48:34, 48:37, 53:38 generate [2] - 47:47, 49:43 generated [1] - 46:37 generates [1] - 48:35 generating [1] - 47:25 generators [1] - 14:44 gentleman [10] - 4:54, 5:24, 5:27, 7:9, 7:10, 35:7, 46:4, 46:10, 46:16 geographic [1] - 27:7 George [6] - 1:27, 1:37, 3:50, 4:5, 45:4, 50:28 Germany [1] - 3:24 gigantic [1] - 35:35 girl [1] - 32:15 given [4] - 6:23, 15:23, 17:23, 34:39 God [1] - 4:17 gotcha [1] - 22:32 government [3] - 7:40, 29:39, 44:3 Government [2] - 14:14, 39:2 grab [1] - 58:26 graffiti [1] - 3:19 graffiti'd [1] - 2:43 grant [10] - 14:8, 14:15, 14:18, 14:21, 14:22, 14:45, 15:17, 60:23, 66:45, 67:2 granted [1] - 39:46 grants [4] - 14:13, 14:15, 60:15, 60:22 great [7] - 4:45, 16:20, 29:31, 29:48, 42:55, 62:25, 62:37 greater [2] - 43:21, 43:26 greatest [1] - 46:50 Greg [1] - 1:44 Gregory [1] - 1:25 ground [1] - 22:38 grounds [1] - 34:54 group [1] - 5:34 guess [21] - 3:43, 4:39, 6:48, 20:13, 20:19, 26:39, 35:15, 36:43, 36:44, 39:19, 45:36, 46:13, 47:34, 47:36, 53:20, 53:27, 54:38, 54:42, 54:54, 55:27, 64:47 guest [1] - 26:5 guided [2] - 38:21, 38:23 guy [3] - 8:25, 32:14,</p>	<p>35:7 guys [6] - 6:4, 10:3, 10:37, 19:5, 21:18, 51:10 gym [2] - 29:31, 32:14</p>	<p>heart [1] - 2:54 heated [1] - 14:43 held [4] - 1:8, 38:20, 40:56, 49:44 help [7] - 3:37, 33:27, 42:47, 43:12, 46:39, 58:20, 66:18 helpful [4] - 30:5, 30:12, 31:15, 32:27 helping [2] - 33:25, 40:7 hi [2] - 2:28, 9:2 hide [4] - 5:13, 5:16, 5:40 high [3] - 33:15, 55:28, 65:53 higher [2] - 27:11, 28:41 highest [1] - 48:38 Highway [3] - 1:10, 10:48, 11:4 hire [1] - 47:39 hired [2] - 54:35, 55:36 history [1] - 51:8 hit [3] - 33:14, 45:52, 55:17 hold [2] - 2:56, 48:35 home [10] - 2:12, 3:1, 30:38, 43:27, 44:38, 49:39, 52:23, 52:26, 52:28, 52:48 Homeland [2] - 66:47, 67:3 homeowner [3] - 49:38, 54:11, 55:26 homeowners [1] - 53:49 honest [1] - 6:5 honestly [2] - 54:16, 64:28 hope [2] - 16:38, 19:30 hopefully [9] - 15:34, 16:21, 18:39, 19:17, 27:17, 31:25, 39:31, 58:45, 63:2 horrible [1] - 3:10 horseshoe [1] - 2:4 hot [1] - 26:2 hour [1] - 48:18 hours [9] - 2:34, 16:47, 42:24, 48:11, 48:12, 48:14, 48:17, 54:20 house [8] - 14:55, 29:45, 30:37, 52:26, 54:52, 54:55, 55:17, 58:6 households [1] -</p>	<p>43:52 huge [3] - 33:12, 33:37, 58:3 Human [7] - 3:31, 3:33, 3:44, 3:51, 4:8, 4:10 human [1] - 4:10 hundred [2] - 30:45, 31:17 hung [2] - 17:53, 17:54 Huntington [1] - 46:16 hurt [1] - 31:2 hurts [1] - 3:29 husband [1] - 38:27</p>
H				
<p>Hahn [6] - 1:18, 1:30, 5:24, 20:15, 63:52, 66:43 half [2] - 53:50, 63:2 hand [2] - 17:14, 17:49 hand [1] - 20:5 handed [5] - 4:51, 5:9, 6:23, 22:28, 22:29 handle [6] - 33:2, 33:3, 37:36, 55:33, 58:25, 59:20 handled [6] - 13:54, 18:12, 22:52, 23:50, 33:5, 38:20 handles [1] - 40:31 handling [5] - 12:7, 12:26, 18:55 hands [1] - 58:38 Hann [1] - 1:33 happy [6] - 12:25, 19:35, 34:38, 34:55, 34:56, 39:47 hard [13] - 16:19, 25:39, 26:6, 26:34, 26:35, 26:40, 29:18, 31:6, 31:34, 36:13, 36:22, 55:25 harder [2] - 28:40, 28:43 hardest [1] - 59:19 hardware [2] - 61:38, 62:12 hate [13] - 2:36, 2:43, 2:53, 2:54, 3:12, 3:17, 3:23, 3:39, 3:52, 4:19 Hauppauge [2] - 58:14, 59:19 head [4] - 14:34, 19:46, 32:12, 32:17 headquarters [1] - 29:47 hear [7] - 16:46, 17:10, 19:51, 25:22, 25:29, 55:17, 58:43 heard [4] - 14:5, 54:48, 60:17, 64:31 hearing [6] - 50:13, 56:22, 56:25, 56:26, 56:27, 58:48 Hearing [1] - 56:28</p>	<p>I</p>	<p>I.A [31] - 16:22, 18:23, 18:26, 18:32, 18:49, 19:1, 19:15, 21:39, 22:6, 22:10, 22:16, 22:28, 24:41, 25:38, 25:56, 27:39, 27:49, 27:51, 28:11, 28:14, 28:21, 28:22, 28:25, 28:31, 28:34, 33:41, 33:44, 33:46, 35:36 I.G [1] - 39:1 I.G.'s [1] - 39:3 I.T [1] - 26:26 idea [3] - 38:51, 38:52, 38:54 ideas [3] - 38:56, 39:6 Identification [2] - 65:5, 65:47 ignore [1] - 6:6 illegal [1] - 28:56 imagine [3] - 10:56, 24:16, 47:32 imaging [1] - 64:17 immediately [3] - 20:30, 28:54, 51:4 IMMS [1] - 9:3 impact [3] - 43:38, 53:49, 54:11 implement [3] - 40:28, 54:35, 55:44 implementation [2] - 9:5, 42:14 implemented [2] - 16:46, 47:12 important [17] - 14:18, 18:5, 19:53, 22:17, 29:22, 29:23, 29:40, 31:47, 32:24, 33:51, 39:41, 41:6, 42:7, 46:28, 47:27, 48:47, 62:5 imposed [1] - 54:56</p>		
I				
<p>G</p>	<p>gaps [2] - 57:44, 57:51 garbage [1] - 8:29 gas [2] - 5:2, 5:3 gather [1] - 48:21 gears [1] - 33:2 general [5] - 3:53, 16:42, 25:2, 33:44, 44:2 General [1] - 66:34</p>	<p>gaps [2] - 57:44, 57:51 garbage [1] - 8:29 gas [2] - 5:2, 5:3 gather [1] - 48:21 gears [1] - 33:2 general [5] - 3:53, 16:42, 25:2, 33:44, 44:2 General [1] - 66:34</p>	<p>gaps [2] - 57:44, 57:51 garbage [1] - 8:29 gas [2] - 5:2, 5:3 gather [1] - 48:21 gears [1] - 33:2 general [5] - 3:53, 16:42, 25:2, 33:44, 44:2 General [1] - 66:34</p>	<p>gaps [2] - 57:44, 57:51 garbage [1] - 8:29 gas [2] - 5:2, 5:3 gather [1] - 48:21 gears [1] - 33:2 general [5] - 3:53, 16:42, 25:2, 33:44, 44:2 General [1] - 66:34</p>

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>improper [1] - 29:1 improve [2] - 45:48, 48:29 improvement [2] - 19:21, 32:33 improvements [2] - 31:28, 34:21 inception [2] - 2:35, 65:52 incidence [1] - 22:51 Incident [5] - 17:33, 17:34, 21:48, 21:51, 22:16 incident [7] - 21:51, 21:56, 23:9, 27:6, 37:44, 37:45, 37:48 incidents [3] - 2:55, 24:13, 24:16 include [4] - 10:56, 29:23, 33:8, 39:13 including [1] - 13:9 incorporate [1] - 61:38 incorrectly [1] - 6:2 increase [8] - 8:28, 12:19, 13:4, 13:22, 13:32, 46:36, 48:31, 48:43 increased [4] - 12:4, 12:11, 12:36, 64:31 increases [3] - 13:4, 45:53, 48:40 increasing [2] - 12:6, 44:30 individual [6] - 34:37, 35:48, 36:36, 36:39, 36:47, 53:6 individually [1] - 58:18 Information [2] - 26:48, 61:4 information [24] - 7:16, 7:21, 8:17, 8:27, 11:20, 22:48, 29:24, 41:52, 41:55, 42:36, 42:37, 47:33, 47:35, 51:34, 51:48, 52:3, 53:8, 57:6, 62:42, 62:54, 63:53, 64:13, 64:41, 64:54 informing [1] - 33:8 infrastructure [2] - 57:51, 57:55 Infrastructure [1] - 61:5 inherited [2] - 20:25, 20:53 initial [3] - 47:56, 48:46, 49:4 initiated [4] - 32:25,</p>	<p>33:10, 42:26, 64:17 initiating [1] - 52:54 injured [2] - 19:3, 31:3 injuries [1] - 32:30 injury [2] - 29:30, 30:28 inoperable [1] - 64:27 input [3] - 15:12, 33:39, 33:40 inside [2] - 21:23, 57:56 Inspector [3] - 16:15, 18:32, 61:23 INSPECTOR [15] - 61:22, 61:29, 61:36, 61:47, 61:54, 62:4, 62:11, 62:21, 62:29, 62:39, 62:47, 63:1, 63:10, 63:16, 63:23 Inspector/Commanding [1] - 1:40 installers [2] - 9:10, 9:52 installing [1] - 9:9 instance [4] - 47:32, 49:44, 52:43, 57:50 instances [1] - 29:8 instead [1] - 48:19 institute [1] - 12:9 institutionalized [1] - 47:2 intelligence [1] - 48:21 intend [3] - 2:53, 14:21, 14:22 intent [7] - 5:13, 5:15, 5:26, 5:40, 5:47 intention [2] - 54:38, 54:41 intentionally [1] - 3:29 interacting [2] - 38:10, 63:6 interaction [1] - 58:29 interest [3] - 3:51, 15:33, 40:30 interesting [1] - 19:50 internal [1] - 22:22 Internal [21] - 15:53, 16:12, 16:13, 16:16, 16:18, 16:21, 16:41, 17:46, 18:6, 18:24, 28:52, 31:33, 34:23, 34:39, 38:33, 38:47, 39:2, 39:13, 39:39, 40:27, 52:33 interop [1] - 60:22 interplay [2] - 32:24, 33:4 intersection [6] - 4:53,</p>	<p>5:3, 6:2, 7:49, 9:13, 9:19 intersections [4] - 5:4, 8:27, 8:45, 11:40 intolerance [1] - 3:3 introduction [1] - 48:10 Introductory [1] - 56:30 investigate [2] - 28:7, 28:34 investigated [4] - 22:27, 27:40, 34:50, 37:46 investigating [2] - 32:10, 36:47 investigation [15] - 17:39, 21:38, 22:2, 22:5, 22:7, 22:9, 22:14, 22:17, 24:27, 27:51, 28:15, 28:36, 32:6, 38:10, 52:34 Investigations [1] - 63:44 investigator [1] - 17:38 Investigator [6] - 16:51, 17:2, 35:37, 35:49, 36:36 Investigator's [1] - 16:53 investigators [3] - 64:21, 64:22, 64:36 Investigators [7] - 16:15, 16:48, 17:29, 17:41, 18:28, 36:11, 36:39 investment [1] - 58:4 investments [1] - 62:18 involved [4] - 17:35, 21:56, 22:15 involving [1] - 8:43 IS [1] - 9:3 Island [3] - 4:54, 56:34, 65:51 Islip [2] - 46:5, 46:10 issue [13] - 2:25, 4:16, 10:53, 10:55, 13:47, 18:17, 23:4, 24:27, 34:37, 45:55, 46:35, 59:55, 60:36 issued [1] - 2:24 issues [5] - 5:15, 5:55, 18:34, 29:38, 41:22 item [2] - 14:27, 65:21 items [5] - 13:45, 14:45, 15:25, 15:33, 58:22 itself [1] - 54:29</p>	<h2>J</h2> <p>January [2] - 42:27, 46:48 jargon [1] - 27:27 Jason [1] - 1:33 jeopardize [1] - 47:34 jiggles [2] - 48:54, 48:55 job [10] - 12:33, 16:20, 31:33, 31:35, 36:39, 39:40, 39:43, 39:49, 44:47, 55:37 Joe [2] - 1:38, 38:48 Joel [1] - 60:21 John [3] - 1:29, 1:36, 15:53 joke [1] - 6:6 Judge [1] - 2:37 judicial [1] - 6:29 judiciary [1] - 6:22 July [2] - 15:35, 15:38 June [1] - 1:11 jurisdiction [1] - 4:9 Justice [3] - 3:33, 16:19, 56:32 justifies [1] - 51:17</p>	<p>33:21, 35:35, 35:39, 36:40, 38:19, 49:21, 58:29, 64:13 King [1] - 15:19 knowing [2] - 38:26, 54:19 knowledge [2] - 36:40, 36:44 knows [3] - 16:12, 35:35, 62:45 Krupski [3] - 57:19, 57:37, 61:33 Krupski's [1] - 63:5</p>
<h2>L</h2>				
<p>Labor [2] - 38:20, 38:21 laboratory [1] - 64:20 ladies [1] - 26:2 lady [1] - 41:36 landlord [1] - 15:8 language [8] - 18:14, 18:18, 18:44, 18:53, 22:51, 23:4, 23:9, 29:1 laptop [1] - 27:25 large [1] - 58:25 last [24] - 7:10, 8:8, 13:9, 13:14, 16:13, 16:16, 16:17, 18:36, 19:2, 19:16, 39:19, 41:36, 42:18, 43:7, 43:18, 48:46, 53:51, 54:10, 58:10, 58:22, 58:29, 60:6, 61:51, 64:28 late [3] - 19:6, 43:7, 53:40 laugh [4] - 5:24, 5:27, 7:38 laughable [2] - 5:23, 5:28 laughing [1] - 5:31 Laughter [8] - 21:54, 25:18, 25:26, 25:34, 31:12, 41:19, 46:7, 46:18 laughter [1] - 29:18 Laughter [1] - 45:44 law [4] - 3:18, 3:23, 38:22, 66:5 Law [3] - 21:52, 40:35, 56:18 lawn [1] - 29:49 laws [2] - 3:18, 3:19 lawsuit [1] - 33:15 lay [1] - 54:34 lead [2] - 4:19, 17:38 learn [2] - 18:29, 41:7</p>				

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>lease [4] - 14:3, 14:9, 14:20, 14:51 least [2] - 47:23, 54:42 leave [12] - 4:39, 13:46, 26:3, 26:7, 26:14, 26:35, 31:26, 34:50, 46:56, 47:10, 49:38 leaving [3] - 19:6, 42:40, 42:42 led [1] - 2:6 left [3] - 19:31, 39:3, 52:52 LEG [4] - 52:15, 53:45, 55:15, 55:24 LEG. CILMI [30] - 20:1, 22:46, 23:7, 23:14, 23:21, 23:27, 23:33, 23:39, 23:46, 23:53, 24:6, 24:12, 24:35, 24:43, 24:50, 25:1, 40:39, 46:9, 46:15, 46:30, 46:41, 47:14, 50:21, 50:30, 51:32, 51:41, 51:50, 52:2, 52:8, 56:3 LEG. FLEMING [42] - 14:30, 14:36, 14:49, 15:3, 15:11, 25:28, 29:14, 31:44, 32:2, 32:20, 32:44, 32:50, 33:1, 33:31, 33:50, 34:2, 34:10, 40:52, 55:52, 56:51, 57:1, 57:18, 57:30, 57:36, 57:42, 57:49, 58:28, 58:47, 61:16, 61:26, 61:32, 61:44, 61:50, 62:1, 62:8, 62:17, 62:24, 62:36, 62:44, 62:50, 63:4, 63:13 LEG. HAHN [41] - 5:30, 5:36, 5:42, 6:9, 19:26, 20:39, 25:12, 25:36, 25:45, 25:51, 26:21, 26:29, 26:37, 26:46, 26:55, 27:5, 27:16, 27:23, 27:47, 28:1, 28:9, 28:17, 28:27, 28:38, 29:6, 29:17, 29:36, 29:51, 30:4, 30:11, 30:18, 30:24, 30:30, 30:40, 30:47, 30:54, 31:5, 31:14, 31:23, 31:37, 63:48 LEG. KENNEDY [11] - 8:37, 8:47, 51:20, 51:26, 56:6, 59:1, 59:8, 59:14, 59:27,</p>	<p>66:37, 67:7 LEG. MARTINEZ [6] - 3:46, 4:1, 34:19, 34:35, 34:45, 35:11 LEG. MC CAFFREY [1] - 38:32 LEG. SPENCER [10] - 16:4, 37:11, 37:22, 46:3, 47:17, 47:53, 48:45, 49:16, 49:51, 56:38 LEG. TROTTA [27] - 6:15, 6:27, 6:37, 6:43, 6:55, 7:2, 7:5, 7:19, 7:43, 7:51, 8:1, 8:7, 8:14, 8:23, 11:52, 12:2, 12:18, 12:24, 12:35, 12:44, 12:50, 13:1, 13:13, 13:20, 13:30, 13:37, 25:31 Legal [1] - 33:25 legislation [1] - 29:21 Legislative [4] - 1:8, 5:13, 5:15, 5:34 Legislator [46] - 1:14, 1:16, 1:17, 1:18, 1:19, 1:20, 1:21, 1:26, 1:30, 1:31, 1:32, 2:6, 2:16, 2:25, 2:26, 8:34, 20:14, 20:15, 40:43, 40:44, 40:56, 41:40, 45:40, 53:4, 55:49, 55:56, 56:26, 56:36, 57:5, 57:19, 59:12, 61:2, 61:12, 61:13, 61:33, 63:5, 63:39, 63:52, 66:41, 66:43, 66:55, 67:11, 67:17 Legislators [4] - 2:4, 3:26, 14:5, 56:11 LEGISLATURE [1] - 1:5 Legislature [12] - 1:8, 1:9, 1:27, 1:28, 3:15, 3:21, 3:28, 4:14, 5:47, 9:15, 47:5, 58:43 legitimate [1] - 22:2 Leslie [3] - 1:19, 51:18, 58:55 less [4] - 20:30, 20:54, 42:22, 51:14 letter [7] - 5:48, 6:47, 16:50, 16:56, 17:5, 17:6, 18:1 letters [1] - 16:42 letting [2] - 13:55, 62:32</p>	<p>level [5] - 3:1, 27:11, 27:50, 28:21, 29:38 Level [1] - 9:4 liability [1] - 8:17 lie [1] - 8:29 Lieutenants [1] - 36:12 lieutenants [1] - 32:55 life [4] - 32:23, 59:2, 59:22, 59:25 Light [1] - 5:10 light [16] - 8:44, 9:5, 9:16, 9:19, 10:36, 10:44, 10:45, 10:56, 11:3, 11:4, 11:6, 11:20, 11:40, 12:9, 12:12, 32:15 lightening [1] - 54:54 lighting [1] - 58:24 lights [9] - 5:2, 5:5, 5:8, 9:7, 9:11, 9:37, 10:34, 10:36, 49:7 likelihood [2] - 43:21, 43:26 likely [2] - 52:50, 58:43 limitations [1] - 25:14 limp [1] - 29:47 limping [1] - 29:49 line [20] - 9:19, 17:21, 18:14, 18:18, 18:45, 18:53, 19:2, 19:3, 23:4, 30:28, 31:2, 31:17, 32:30, 37:33, 37:42, 47:11, 48:4, 48:51, 57:28 lines [1] - 47:18 list [1] - 20:55 listed [1] - 30:42 literally [1] - 4:16 litigation [4] - 33:4, 33:6, 33:9, 33:17 Liz [2] - 1:31, 1:32 lobby [2] - 17:51, 17:53 Local [2] - 40:35, 56:18 local [1] - 60:13 locations [8] - 12:12, 12:19, 13:3, 13:22, 13:31, 27:6, 48:20 lock [1] - 52:54 locked [5] - 26:4, 49:2, 49:35, 52:21 logged [1] - 28:54 long-term [1] - 32:30 look [20] - 3:26, 8:8, 10:37, 11:24, 12:54, 13:35, 14:55, 19:11, 22:14, 26:40, 28:14,</p>	<p>29:3, 34:29, 34:33, 37:3, 46:48, 47:28, 49:35, 58:48, 60:22 looked [4] - 10:25, 14:14, 15:7, 20:30 looking [11] - 6:47, 10:51, 11:4, 13:31, 20:54, 20:55, 22:18, 24:33, 58:35, 59:25, 60:21 looks [1] - 10:35 loop [2] - 33:33, 63:6 Lou [1] - 1:39 loves [1] - 39:40 low [1] - 53:55 lower [1] - 43:42 lowered [1] - 54:4 lowest [1] - 48:36 Lucia [1] - 1:51 luck [1] - 55:45</p>	<p>matter [2] - 13:3, 46:34 mature [3] - 47:1, 47:10, 47:20 matured [1] - 48:1 McLaughlin [1] - 31:35 MDTs [1] - 63:24 meals [1] - 14:43 mean [12] - 6:5, 11:15, 11:24, 24:17, 28:10, 34:22, 36:43, 36:54, 38:40, 45:47, 49:45, 57:44 meaningful [1] - 31:28 means [2] - 34:55, 58:3 Means [5] - 13:48, 13:49, 13:54, 14:31, 33:5 meant [1] - 26:38 measurements [2] - 17:44, 22:36 mechanism [1] - 47:25 meet [2] - 18:32, 27:34 meeting [16] - 1:7, 2:1, 7:15, 7:16, 8:33, 15:35, 15:38, 16:44, 16:49, 41:5, 41:37, 46:21, 52:56, 59:55, 62:30, 67:19 meetings [3] - 17:14, 17:50, 18:32 member [1] - 37:13 Members [1] - 1:13 members [2] - 37:16, 47:41 Memorial [1] - 1:10 men [3] - 3:30, 16:18, 31:32 mentioned [10] - 14:12, 22:50, 29:52, 39:20, 43:18, 44:17, 48:10, 48:53, 49:7, 52:20 merits [1] - 42:11 message [2] - 2:48, 3:29 messed [1] - 27:43 met [4] - 20:15, 25:15, 38:48, 51:16 MEU [2] - 19:10, 32:13 mic [1] - 28:2 Michels [1] - 1:37 middle [1] - 51:3 might [14] - 22:18, 22:37, 29:8, 29:20, 33:9, 38:54, 38:55, 52:12, 54:49, 54:54,</p>
---	--	--	--	--

M

machines [1] - 64:34
Madam [5] - 13:55, 20:11, 46:4, 53:46, 57:10
mail [1] - 18:1
mailing [1] - 47:7
mailings [3] - 43:14, 47:43, 48:1
maintain [2] - 46:20, 46:23
maintenance [4] - 58:23, 59:3, 59:6
major [1] - 24:10
majority [4] - 39:48, 39:50, 44:53, 49:49
malingerers [1] - 29:29
managed [1] - 31:29
Management [1] - 67:4
management [3] - 28:51, 32:26, 44:55
Manager [1] - 64:2
Manager/Suffolk [1] - 1:42
mandate [1] - 35:53
mandated [1] - 2:37
Manhattan [1] - 31:48
manipulated [1] - 5:8
manpower [3] - 32:42, 32:45, 48:13
Margiotta [1] - 7:14
Marine [1] - 66:48
marked [1] - 18:46
Martinez [1] - 1:20
material [2] - 15:22, 41:7

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>63:20, 63:29, 65:25, 65:32 mike [2] - 57:6, 59:34 Mike [4] - 1:34, 1:43, 40:25, 57:6 military [2] - 29:31, 32:14 million [1] - 15:9 millions [1] - 14:23 mind [2] - 24:24, 52:50 mindful [1] - 32:21 mine [3] - 45:48, 61:41, 62:14 minimal [1] - 58:20 minimum [2] - 9:12, 54:12 Miniutti [1] - 1:44 minor [5] - 27:32, 28:5, 28:14, 28:31, 28:35 minority [1] - 49:48 minute [2] - 7:44, 46:5 mischievous [1] - 49:42 missed [2] - 25:32, 34:51 mission [1] - 61:42 mistaken [1] - 45:4 mistreated [1] - 17:55 Mobile [1] - 63:32 modes [1] - 2:44 modifications [1] - 42:52 moment [1] - 2:11 Moment [1] - 2:14 Monday [1] - 2:25 money [9] - 5:27, 14:15, 14:18, 14:46, 38:53, 50:42, 54:4, 55:35, 60:15 Monica [3] - 1:20, 3:53, 34:17 monitoring [2] - 51:35, 51:47 monopolies [1] - 57:25 Montauk [3] - 57:28, 57:34, 57:50 month [7] - 19:23, 43:8, 44:20, 44:23, 54:2, 58:10 monthly [2] - 53:56, 62:30 months [16] - 8:24, 20:18, 20:20, 20:27, 20:40, 20:43, 20:46, 20:52, 21:9, 21:13, 21:14, 21:15, 21:18, 21:23, 21:27, 55:10 morning [17] - 2:16, 2:21, 2:23, 3:6,</p>	<p>10:41, 13:55, 14:37, 16:2, 16:5, 16:8, 40:6, 41:4, 57:10, 57:13, 61:23, 61:27, 61:30 mortgage [1] - 45:54 Moss [4] - 1:45, 2:18, 3:43, 3:51 MOSS [5] - 2:20, 2:33, 4:12, 4:25, 4:31 most [8] - 2:40, 19:52, 22:48, 35:1, 48:2, 52:50, 58:21, 59:25 Motion [1] - 61:12 motion [27] - 40:36, 40:43, 40:47, 40:53, 53:47, 55:48, 55:49, 56:25, 56:35, 56:48, 57:5, 60:56, 61:9, 63:27, 63:36, 63:39, 63:46, 66:29, 66:35, 66:49, 67:8, 67:11, 67:15, 67:16 motor [9] - 10:49, 10:50, 11:41, 12:15, 12:16, 12:32, 12:36, 13:10, 13:26 Motorola [1] - 60:12 move [7] - 15:49, 33:12, 33:13, 38:3, 38:22, 61:39 moved [1] - 28:21 moving [5] - 13:9, 19:16, 20:23, 26:22, 55:34 MR [74] - 4:7, 4:38, 4:44, 4:50, 5:33, 5:39, 5:51, 6:20, 6:32, 6:40, 6:46, 7:31, 7:47, 7:54, 8:4, 8:11, 8:20, 8:41, 9:1, 9:25, 9:32, 9:39, 9:45, 9:51, 10:2, 10:11, 10:17, 10:24, 45:7, 45:13, 45:20, 45:26, 45:32, 50:33, 50:39, 50:51, 51:2, 56:21, 57:9, 57:15, 57:23, 57:33, 57:39, 57:46, 57:54, 58:32, 58:51, 59:5, 59:11, 59:17, 59:30, 59:38, 59:45, 59:51, 60:2, 60:8, 60:19, 60:39, 60:46, 60:52, 64:1, 64:8, 64:15, 64:43, 64:50, 65:1, 65:17, 65:23, 65:31, 65:41, 66:4, 66:10, 66:16, 66:25</p>	<p>MS-13 [2] - 41:6, 48:20 multiple [2] - 31:18, 35:16 municipalities [3] - 9:8, 42:28, 44:52 municipality [1] - 62:52 Muratore [1] - 41:41 murder [2] - 65:5, 65:46 music [2] - 2:56, 3:1 must [3] - 30:41, 30:42, 53:27 myths [1] - 25:21</p>	<p>38:37, 53:9, 54:17, 55:27 New [2] - 1:10, 18:25 new [20] - 13:22, 15:1, 15:38, 18:34, 20:26, 26:22, 34:52, 34:53, 38:51, 39:10, 46:47, 47:40, 48:3, 54:31, 60:12, 60:17, 60:36, 64:20, 64:36 newest [1] - 20:55 news [1] - 39:32 next [15] - 3:37, 14:17, 14:20, 16:21, 25:10, 41:12, 48:7, 50:17, 50:22, 50:47, 51:10, 51:13, 58:45, 63:2 nice [1] - 39:31 Nikon [3] - 65:51, 66:8, 66:17 nine [2] - 19:10, 19:12 nobody [5] - 7:33, 19:34, 37:52, 39:43, 39:44 nobody's [1] - 25:46 noise [1] - 3:19 Nolan [1] - 1:27 NOLAN [15] - 4:7, 6:40, 6:46, 8:11, 8:20, 45:7, 45:13, 45:20, 45:26, 45:32, 50:33, 50:39, 50:51, 51:2, 56:21 normal [1] - 14:50 North [1] - 4:54 note [1] - 34:3 nothing [6] - 8:5, 8:28, 12:10, 24:10, 40:13, 46:24 notices [1] - 54:46 notified [1] - 17:3 notify [1] - 44:28 notifying [1] - 16:42 nuisance [1] - 3:19 number [22] - 2:40, 12:5, 12:12, 13:51, 16:51, 17:15, 17:17, 17:20, 17:23, 17:27, 17:28, 19:41, 19:46, 19:47, 21:3, 37:44, 37:47, 41:52, 46:36, 46:42, 48:14, 53:56 numbers [9] - 16:53, 17:16, 19:9, 29:52, 30:12, 32:30, 41:53, 43:38, 48:23 numerous [3] - 23:43, 23:47, 38:49 nutshell [1] - 19:15 NYPD [1] - 31:49</p>	<p>O</p>
		<p>N</p>		
		<p>name [3] - 8:54, 9:2, 28:53 names [1] - 51:51 Nassau [1] - 57:28 nation [1] - 3:9 nationally [2] - 13:11, 13:18 native [1] - 23:31 natural [1] - 59:2 near [3] - 16:23, 54:42, 58:44 necessarily [3] - 37:56, 46:55, 49:11 necessary [1] - 54:38 need [26] - 3:36, 4:56, 8:53, 14:17, 14:24, 14:44, 15:13, 16:52, 18:48, 18:52, 18:53, 26:8, 26:25, 43:15, 50:40, 50:43, 51:17, 54:44, 54:45, 58:7, 58:17, 62:18, 64:35, 64:37, 64:54, 67:15 needed [1] - 13:46 needs [5] - 10:25, 11:5, 26:13, 40:13, 41:26 negative [2] - 23:8, 46:55 negotiations [1] - 32:26 neighbor [1] - 34:52 Nelson [3] - 7:32, 7:44, 7:55 Netherlands [1] - 3:25 network [4] - 27:25, 27:26, 61:41, 62:14 Neubauer [1] - 31:34 neutral [2] - 43:13, 46:35 never [12] - 8:45, 16:46, 17:10, 22:6, 26:34, 28:21, 38:33,</p>		<p>o'clock [1] - 40:6 obligation [1] - 45:27 observed [1] - 17:24 obvious [1] - 49:35 obviously [18] - 18:28, 19:44, 20:24, 20:30, 20:54, 22:5, 29:2, 32:10, 32:22, 32:38, 33:46, 34:20, 35:42, 36:29, 38:40, 38:53, 51:13, 65:34 occur [1] - 10:34 occurred [1] - 3:10 October [3] - 16:32, 21:22, 39:31 odds [1] - 44:31 OF [1] - 1:3 offense [5] - 3:24, 27:32, 28:6, 28:15, 28:35 offer [1] - 3:30 offering [1] - 62:32 office [8] - 2:49, 26:2, 26:3, 26:7, 26:15, 39:3, 63:5, 63:6 Office [13] - 1:29, 1:33, 1:34, 2:25, 5:12, 5:48, 6:52, 31:49, 33:26, 56:33, 56:34, 64:23, 66:33 officer [37] - 17:18, 17:19, 17:24, 17:34, 18:8, 18:14, 18:18, 18:51, 21:56, 27:34, 27:40, 28:32, 28:46, 29:3, 33:8, 34:28, 35:4, 35:5, 35:6, 35:22, 36:45, 37:14, 37:27, 37:43, 37:46, 37:56, 39:42, 49:4, 49:7, 49:31, 52:19, 52:24, 52:43, 52:44, 53:38 Officer [8] - 1:25, 1:40, 20:8, 25:13, 27:34, 34:29, 61:24, 62:30 officer's [2] - 28:53, 35:6 officer-involved [1] - 21:56 officers [42] - 13:27, 18:47, 18:55, 19:8, 19:35, 19:42, 20:56, 22:49, 22:54, 24:32, 24:51, 25:3, 28:39, 29:28, 30:34, 30:52, 31:21, 31:52, 32:5,</p>

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>32:9, 32:22, 32:26, 32:28, 32:55, 33:16, 33:52, 35:33, 37:12, 38:50, 39:48, 40:7, 40:9, 48:13, 48:17, 48:26, 48:37, 48:41, 49:33, 54:23, 55:38, 66:19 Officers' [1] - 12:26 official [1] - 37:3 offset [8] - 50:19, 50:25, 50:28, 50:40, 50:43, 50:49, 51:5, 55:45 often [3] - 33:11, 42:47, 42:48 oftentimes [2] - 34:56, 36:30 old [7] - 20:24, 21:28, 33:38, 38:47, 46:51, 59:21, 64:34 once [8] - 12:36, 25:37, 43:15, 50:17, 50:27, 55:44, 62:25 one [84] - 2:16, 2:17, 3:27, 5:31, 7:15, 9:36, 11:56, 13:50, 14:8, 14:27, 16:14, 16:15, 16:18, 16:43, 17:7, 17:8, 17:9, 17:10, 17:13, 17:16, 17:30, 18:6, 18:17, 18:22, 18:44, 19:24, 19:30, 21:38, 22:13, 22:48, 22:51, 23:2, 23:3, 23:34, 23:44, 24:32, 27:13, 27:36, 28:32, 28:56, 29:1, 29:53, 30:48, 32:39, 34:27, 34:31, 34:32, 35:4, 35:23, 35:27, 37:27, 37:32, 38:1, 39:19, 41:1, 41:5, 41:22, 43:49, 43:56, 44:50, 46:5, 46:54, 48:27, 48:46, 49:26, 49:27, 50:13, 50:15, 53:10, 54:49, 55:3, 59:3, 59:49, 60:6, 61:20, 62:52, 64:51, 65:45, 65:49 one-on-one [1] - 35:4 one-year [1] - 46:54 onerous [1] - 54:3 ones [8] - 13:4, 20:30, 20:31, 20:53, 20:55, 21:21, 21:22 online [2] - 26:27, 62:25 open [11] - 16:55,</p>	<p>17:1, 17:6, 20:18, 26:1, 26:3, 52:52, 54:48, 54:52, 55:17 opened [6] - 18:25, 49:2, 49:31, 49:32, 49:46, 60:37 operate [1] - 32:37 operating [2] - 14:19, 58:26 Operating [1] - 50:52 operation [3] - 43:31, 44:56, 52:56 operations [2] - 14:50, 58:21 opportunities [1] - 29:7 opportunity [4] - 2:22, 3:7, 7:26, 47:11 Opposed [9] - 56:26, 61:1, 61:14, 63:28, 63:40, 66:30, 66:42, 66:55, 67:12 opposed [6] - 45:53, 55:56, 56:1, 56:4, 56:7, 56:43 opposite [3] - 32:40, 32:48, 36:21 oppositions [1] - 56:10 opt [1] - 14:20 opted [1] - 42:54 option [4] - 14:16, 14:19, 42:42, 44:34 options [1] - 14:10 order [6] - 2:1, 7:35, 7:36, 55:16, 55:19, 62:18 Order [1] - 21:52 ordinance [1] - 3:2 Orient [2] - 57:31, 57:37 original [1] - 29:21 Ortiz [1] - 1:29 otherwise [2] - 23:4, 32:17 ourselves [1] - 14:47 outcome [2] - 34:55, 35:1 outcomes [1] - 33:7 outdoing [1] - 12:27 outrageous [1] - 27:41 outs [1] - 39:52 overall [5] - 12:16, 19:43, 39:48, 42:21, 48:41 oversee [1] - 17:42 overseeing [1] - 35:37 overtime [6] - 32:21, 48:9, 48:14, 48:34,</p>	<p>48:35, 48:38 overwhelming [1] - 2:40 owe [1] - 58:41 own [4] - 3:1, 3:11, 52:53, 62:41 owner [3] - 42:38, 42:45, 49:38</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P.D [5] - 1:42, 15:27, 42:1, 54:19, 56:48 p.m [1] - 67:19 P.O. GREGORY [24] - 20:4, 20:10, 20:35, 20:42, 20:48, 21:2, 21:8, 21:17, 21:25, 21:34, 21:43, 21:50, 22:21, 22:31, 22:40, 35:30, 35:47, 36:7, 36:16, 36:24, 36:32, 36:42, 36:53, 37:5 pace [1] - 18:37 packages [2] - 10:4, 10:5 paid [1] - 50:3 painting [1] - 58:24 panned [1] - 44:51 panning [1] - 43:38 paperwork [2] - 14:7, 14:12 paramount [1] - 24:24 Parking [1] - 6:49 part [10] - 12:33, 22:37, 26:49, 37:19, 42:13, 48:38, 51:33, 51:47, 51:48, 52:52 partial [1] - 42:13 partially [1] - 43:39 participation [1] - 56:34 particular [11] - 18:13, 24:4, 27:13, 28:32, 28:45, 28:52, 29:3, 29:44, 35:44, 40:26, 50:43 particularly [1] - 2:50 partner [2] - 60:27, 60:31 partners [1] - 41:7 parts [1] - 33:45 party [1] - 9:18 pass [1] - 3:23 passed [3] - 43:7, 47:4, 54:10 past [2] - 2:24, 35:38 Patrol [1] - 10:48 patrol [5] - 35:51, 42:24, 42:41, 48:11,</p>	<p>48:20 patrolled [1] - 35:52 pattern [2] - 27:13, 29:2 pay [15] - 3:9, 27:36, 41:33, 41:44, 42:8, 44:23, 44:36, 45:5, 45:14, 46:39, 53:55, 54:2, 55:33 paying [7] - 41:44, 41:45, 41:50, 44:25, 44:29, 53:55, 54:6 payout [1] - 33:24 pays [1] - 43:23 peace [1] - 3:3 pending [1] - 18:40 people [86] - 2:42, 2:50, 3:21, 5:55, 5:56, 6:3, 6:7, 9:7, 18:3, 18:7, 18:12, 18:23, 19:2, 19:4, 19:9, 19:11, 19:12, 19:34, 22:6, 22:7, 22:12, 22:37, 22:50, 24:18, 25:24, 25:29, 28:43, 28:44, 29:54, 30:6, 31:16, 31:18, 32:10, 32:39, 32:54, 33:11, 33:12, 34:23, 34:56, 35:22, 36:22, 37:39, 37:40, 37:41, 37:50, 39:46, 40:8, 41:27, 41:31, 41:54, 41:56, 42:8, 42:14, 42:16, 42:47, 42:54, 43:30, 43:32, 43:33, 43:36, 43:43, 43:46, 43:49, 45:4, 45:54, 47:5, 47:6, 47:8, 47:26, 47:46, 48:2, 49:18, 49:27, 49:29, 52:48, 53:9, 54:5, 54:17, 54:25, 54:34, 54:43, 54:46, 55:32, 55:40 people's [2] - 4:16, 44:54 per [1] - 65:21 percent [1] - 13:17 perhaps [1] - 48:22 perimeter [1] - 52:38 period [1] - 55:32 permit [1] - 2:53 perpetrator [1] - 43:26 person [23] - 2:56, 3:2, 3:39, 6:3, 18:13, 18:48, 22:13, 23:5, 23:18, 23:31, 24:25, 26:12, 28:33, 28:54, 35:44, 35:51, 36:30,</p>	<p>37:53, 38:56, 39:5, 44:23, 63:53 person's [2] - 29:44, 48:36 personal [3] - 18:27, 36:28, 53:8 personally [4] - 3:30, 36:28, 47:6, 47:27 personnel [3] - 22:10, 32:38, 55:36 pertains [2] - 16:22, 41:46 phone [10] - 16:49, 16:51, 18:9, 22:54, 23:43, 23:47, 23:50, 24:39, 32:15, 53:9 Photographic [2] - 1:42, 64:2 photographic [2] - 64:20, 65:7 photography [2] - 64:19 photos [1] - 22:36 physical [3] - 4:18, 23:2, 57:56 picture [1] - 62:5 pictures [2] - 17:43, 22:35 piece [3] - 16:23, 62:5, 62:9 place [14] - 8:44, 15:26, 15:28, 19:18, 35:32, 35:36, 35:56, 36:33, 39:40, 44:46, 48:2, 49:21, 50:15, 50:26 placed [1] - 56:42 Placed [1] - 56:44 places [1] - 36:12 plague [1] - 3:12 planned [1] - 62:25 planning [1] - 40:12 plans [4] - 7:33, 7:34, 7:38, 10:4 Plant [2] - 1:42, 64:2 play [2] - 2:56, 54:29 plays [1] - 55:31 pleasure [1] - 51:24 Pledge [1] - 2:6 plummet [1] - 43:39 plus [1] - 44:43 Point [2] - 57:28, 57:31 point [18] - 8:15, 19:5, 19:7, 30:45, 33:21, 40:31, 47:55, 48:4, 51:5, 54:29, 55:30, 57:34, 58:38, 60:24, 64:26, 64:29, 65:3, 65:42</p>
--	--	--	---	---

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>point-and-shoot [2] - 65:3, 65:42 points [1] - 10:54 police [25] - 17:18, 17:34, 17:35, 19:35, 22:15, 24:19, 24:51, 28:50, 32:54, 35:4, 37:43, 39:42, 39:48, 40:7, 40:9, 43:1, 44:29, 44:30, 44:36, 44:37, 49:31, 52:19, 52:24, 55:37, 55:38 Police [48] - 1:35, 1:36, 1:37, 1:40, 1:43, 8:43, 10:32, 10:35, 12:26, 12:37, 15:53, 23:18, 31:26, 32:25, 33:15, 40:29, 41:41, 41:45, 41:46, 42:3, 42:24, 42:34, 45:48, 46:35, 46:39, 47:40, 47:48, 47:51, 48:25, 48:43, 50:3, 53:12, 53:27, 58:16, 58:30, 58:33, 61:4, 61:24, 61:37, 61:40, 61:42, 62:13, 62:41, 63:7, 63:32, 63:43, 64:2 policies [1] - 40:29 policy [1] - 12:11 polite [1] - 35:7 Pope [3] - 7:33, 7:45, 7:55 Port [1] - 67:4 Portland [1] - 3:10 position [1] - 45:47 positions [1] - 2:55 positive [1] - 23:3 possibility [2] - 3:50, 44:47 possible [3] - 4:15, 32:41, 49:47 possibly [1] - 50:14 post [2] - 15:34, 15:38 posted [1] - 4:52 Postel [2] - 1:43, 57:7 POSTEL [22] - 57:9, 57:15, 57:23, 57:33, 57:39, 57:46, 57:54, 58:32, 58:51, 59:5, 59:11, 59:17, 59:30, 59:38, 59:45, 59:51, 60:2, 60:8, 60:19, 60:39, 60:46, 60:52 postponing [1] - 41:5 potential [1] - 54:11 potentially [1] - 48:39 practice [1] - 25:2 practices [2] - 39:11,</p>	<p>39:12 precedence [1] - 22:5 precedent [1] - 55:49 Precinct [4] - 1:39, 35:55, 36:14, 39:50 precinct [22] - 17:51, 17:56, 18:17, 22:22, 23:3, 23:4, 23:34, 23:44, 24:19, 24:22, 27:7, 27:34, 27:35, 27:50, 28:15, 28:21, 28:36, 36:17, 37:28, 37:52, 39:54, 40:2 precincts [6] - 17:15, 18:10, 18:11, 27:12, 28:41, 64:33 predictability [1] - 32:28 prefer [1] - 13:49 premise [1] - 43:24 premises [9] - 42:39, 43:22, 49:10, 49:34, 49:39, 49:46, 52:35, 52:44, 52:47 prepared [1] - 10:32 Present [2] - 61:2, 66:43 presentation [2] - 3:8, 40:30 presenting [1] - 3:8 Presiding [3] - 1:25, 20:8, 25:13 press [2] - 2:24, 15:18 presses [2] - 29:31, 32:14 pretty [7] - 18:5, 19:15, 27:11, 32:30, 32:37, 53:53, 53:55 previous [2] - 8:33, 52:32 preying [1] - 43:27 prices [1] - 65:34 primary [1] - 58:12 principal [1] - 43:17 printers [1] - 65:15 printing [2] - 64:34, 65:7 priority [4] - 14:22, 20:54, 48:36, 48:38 Priority [1] - 43:19 prisoner [3] - 17:25, 17:36, 17:54 Prisoners' [1] - 66:34 private [1] - 41:46 probability [1] - 55:28 Probation [2] - 2:37, 15:49 problem [5] - 22:51, 24:4, 28:33, 59:46, 60:53</p>	<p>problematic [1] - 9:11 procedure [3] - 35:50, 48:47, 49:6 procedures [9] - 27:33, 33:37, 33:39, 33:41, 33:44, 33:53, 35:32, 39:10, 40:29 process [14] - 22:9, 34:32, 34:40, 37:42, 37:51, 42:17, 42:34, 44:54, 48:52, 51:33, 51:47, 53:52, 54:44, 54:45 professionalism [1] - 39:51 professionally [1] - 24:23 proficient [1] - 23:25 Program [3] - 5:10, 66:47, 67:4 program [50] - 5:18, 11:25, 11:32, 12:10, 28:50, 28:51, 41:24, 42:12, 42:21, 42:53, 42:56, 43:12, 43:15, 43:17, 44:30, 44:46, 44:51, 44:55, 46:23, 46:35, 46:39, 46:47, 46:50, 46:56, 47:6, 47:9, 47:10, 47:12, 47:20, 47:40, 47:42, 47:44, 47:56, 48:29, 50:4, 50:15, 51:15, 53:53, 54:1, 54:3, 54:15, 54:33, 54:35, 55:30, 58:18, 61:52, 64:17 programs [7] - 13:9, 42:28, 42:33, 44:53, 58:10, 58:11, 58:15 progress [1] - 43:2 project [5] - 57:27, 58:2, 58:26, 60:12, 60:23 projects [2] - 58:43, 64:18 proper [4] - 18:9, 52:56, 59:3, 59:6 properly [3] - 18:52, 18:55, 23:5 property [3] - 2:40, 14:47, 42:38 protect [1] - 43:33 protected [1] - 2:47 Protective [1] - 64:23 protocol [3] - 24:15, 37:2, 37:3 protocols [5] - 35:32, 35:36, 35:48, 35:56, 36:33</p>	<p>prove [1] - 55:43 proves [1] - 42:4 provide [11] - 7:28, 11:19, 11:44, 12:25, 17:28, 34:8, 37:46, 39:20, 44:16, 52:3, 64:33 provided [3] - 7:17, 12:45, 15:54 providers [1] - 51:55 providing [6] - 15:19, 33:39, 33:40, 41:8, 58:6, 66:45 provision [1] - 32:4 psychological [1] - 4:17 public [15] - 5:16, 5:17, 5:21, 5:52, 16:42, 16:44, 17:8, 17:17, 18:7, 44:3, 56:22, 56:25, 56:27, 60:31 PUBLIC [1] - 1:1 Public [3] - 1:7, 2:5, 56:28 publicly [1] - 2:46 pulled [1] - 39:44 pulls [1] - 35:4 punishment [2] - 27:35, 27:43 Purchase [1] - 66:48 purchase [2] - 65:14, 65:35 purchased [1] - 14:45 purchasing [1] - 14:56 purpose [1] - 3:7 pursuit [2] - 22:11, 22:15 put [15] - 8:53, 10:3, 14:16, 15:39, 17:50, 18:44, 20:31, 35:32, 35:36, 35:56, 36:33, 38:27, 38:53, 45:33, 48:12</p>	<p>66:41 quick [1] - 46:20 quickly [5] - 4:15, 29:11, 42:45, 42:46, 49:3 quite [2] - 54:16, 64:28</p>
R				
<p>R&Ps [1] - 37:48 RABBI [5] - 2:20, 2:33, 4:12, 4:25, 4:31 Rabbi [4] - 1:45, 2:18, 3:43, 3:51 radio [2] - 58:37, 60:32 radios [3] - 60:14, 60:16, 60:44 Raimondo [4] - 6:48, 6:52, 8:38 raise [1] - 43:11 Raised [1] - 20:5 range [1] - 65:43 rapid [2] - 43:25, 44:30 rare [1] - 52:43 rather [4] - 42:25, 42:26, 49:48, 58:18 raw [2] - 6:16, 6:28 re [1] - 55:43 re-registration [1] - 55:43 reach [2] - 16:48, 39:52 reach-outs [1] - 39:52 reached [1] - 65:25 reaches [2] - 3:3, 6:1 read [1] - 29:10 reading [1] - 26:9 ready [1] - 42:44 real [7] - 17:19, 18:3, 31:28, 41:55, 42:4, 48:54, 52:28 realize [3] - 3:25, 27:42, 33:13 really [33] - 3:7, 3:43, 18:40, 18:41, 22:6, 23:18, 24:40, 29:28, 29:33, 31:34, 31:47, 32:16, 33:11, 33:24, 46:51, 47:27, 47:36, 48:7, 48:27, 48:28, 48:47, 48:52, 48:55, 53:17, 54:9, 54:10, 55:32, 55:35, 60:20, 62:37, 64:29, 64:40 reason [7] - 14:12, 33:21, 34:49, 41:55, 44:44, 50:40, 65:32</p>				
Q				
<p>quality [1] - 32:23 quarterly [2] - 16:30, 16:31 questioned [1] - 2:46 questioning [1] - 48:51 questions [21] - 7:11, 7:29, 8:51, 10:28, 15:33, 19:54, 22:36, 33:27, 34:22, 37:26, 39:29, 46:4, 52:13, 52:16, 56:49, 57:16, 61:13, 61:17, 61:20,</p>				

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>reasons [3] - 49:26, 49:27, 53:46 receive [2] - 5:49, 8:38 received [4] - 22:54, 26:12, 41:51 receiving [1] - 47:7 recent [1] - 59:55 recently [7] - 3:10, 15:39, 53:10, 58:4, 58:10, 58:34, 58:41 receptive [1] - 47:7 recognize [1] - 53:48 recommendation [1] - 47:9 recommendations [6] - 11:15, 11:21, 11:25, 11:35, 11:39, 11:40 record [7] - 5:11, 8:53, 8:54, 10:31, 14:7, 15:51, 16:17 recorded [1] - 34:52 recording [2] - 23:2, 34:53 recurring [4] - 42:33, 43:6, 44:53, 44:55 recuse [1] - 36:35 red [12] - 4:55, 4:56, 5:1, 8:44, 9:5, 9:7, 10:44, 11:4, 11:20, 11:40, 12:9, 12:12 Red [1] - 5:10 reduce [11] - 35:33, 41:53, 42:53, 43:11, 45:49, 47:11, 48:22, 50:18, 50:27, 50:47, 51:3 reduced [6] - 12:5, 41:26, 43:3, 43:20, 47:50, 51:14 reducing [3] - 41:52, 46:34, 50:26 reduction [11] - 41:54, 42:5, 42:17, 42:19, 42:22, 42:29, 43:6, 43:29, 48:14, 48:38, 48:40 reductions [3] - 42:16, 42:27, 48:34 referred [2] - 19:10, 23:51 referred-back-to-command [1] - 23:51 reflect [1] - 47:22 reflected [1] - 50:52 refused [1] - 18:53 regard [1] - 33:41 regarding [5] - 2:25, 3:11, 11:40, 58:34, 59:39</p>	<p>regards [1] - 37:12 register [9] - 41:27, 41:38, 42:15, 42:16, 45:5, 45:27, 49:27, 53:7, 54:47 registered [6] - 41:34, 43:46, 44:1, 47:46, 48:2, 55:7 registering [3] - 41:32, 41:49, 47:26 registration [32] - 40:35, 41:50, 41:52, 42:17, 42:32, 42:34, 42:51, 42:54, 43:6, 43:7, 43:12, 44:36, 44:41, 44:50, 44:53, 46:38, 46:54, 47:11, 47:30, 47:35, 47:56, 48:3, 48:11, 50:14, 50:41, 51:33, 53:6, 53:54, 54:2, 54:4, 54:6, 55:43 registrations [1] - 54:13 regular [3] - 1:7, 19:4, 42:37 regulated [1] - 32:3 rehabilitating [2] - 57:51, 57:55 Rehabilitation [1] - 56:47 rehabilitation [3] - 56:49, 57:21, 57:43 related [1] - 43:1 relates [1] - 33:46 Relations [2] - 38:20, 38:22 relationship [8] - 33:26, 35:44, 36:1, 36:34, 36:48, 38:48, 38:51, 39:5 relationships [2] - 35:53, 36:46 release [1] - 2:24 Relevant [1] - 26:47 relief [3] - 19:5, 19:7, 30:45 relieve [1] - 58:20 relieved [1] - 48:36 relook [1] - 34:54 remains [2] - 45:21, 45:27 remember [8] - 15:16, 15:17, 16:38, 20:14, 29:12, 29:18, 31:6, 59:55 remind [1] - 30:19 reminder [2] - 24:39, 24:47 reminders [1] - 24:17</p>	<p>renew [1] - 14:51 renewal [1] - 40:35 reopen [1] - 34:54 repair [4] - 59:24, 64:27, 64:30, 66:17 repaired [1] - 43:31 repairs [1] - 44:56 replace [1] - 59:24 Replacement [1] - 63:32 replacing [1] - 65:2 replenishing [1] - 14:46 replica [1] - 17:52 report [22] - 5:14, 5:15, 6:17, 6:30, 6:33, 6:35, 6:38, 6:41, 7:20, 7:21, 12:51, 26:47, 26:53, 27:3, 29:20, 29:21, 30:35, 31:28, 31:45, 37:44, 49:41, 52:49 reported [1] - 37:48 reports [7] - 5:14, 5:17, 5:54, 5:55, 8:43, 15:54 request [6] - 5:9, 6:49, 8:42, 17:45, 32:12, 63:21 requested [4] - 5:10, 6:48, 30:34, 34:28 requests [1] - 17:42 require [2] - 32:45, 42:33 required [1] - 47:33 requirements [1] - 6:50 requires [1] - 40:13 requiring [3] - 35:48, 41:27, 47:30 reregister [3] - 45:5, 45:15, 45:24 reregistering [1] - 41:39 reregistration [8] - 41:28, 42:8, 46:22, 46:43, 47:21, 47:56, 50:16, 50:17 reregistrations [1] - 48:3 Rescue [1] - 1:38 research [1] - 38:53 resets [1] - 55:7 residence [1] - 43:34 resident [1] - 9:2 residential [8] - 42:36, 42:44, 43:35, 43:52, 44:4, 45:8, 45:11 residents [6] - 25:3, 29:40, 31:25, 39:41,</p>	<p>42:39, 43:56 resolution [2] - 14:2, 64:40 Resolutions [3] - 3:16, 40:34, 56:30 resolutions [1] - 59:35 respect [6] - 3:27, 22:53, 25:4, 42:32, 43:29, 51:34 respond [9] - 6:18, 10:32, 22:11, 42:45, 44:24, 44:28, 44:37, 48:27, 55:38 responded [2] - 8:45, 22:6 responding [7] - 12:31, 12:32, 22:49, 42:26, 48:19, 54:21 responds [1] - 65:47 Response [1] - 17:37 response [11] - 8:39, 17:34, 43:18, 43:19, 43:40, 43:42, 44:30, 45:49, 47:20, 53:37, 54:27 responsibility [6] - 9:20, 10:18, 12:33, 52:35, 52:53, 52:56 responsible [1] - 9:18 result [3] - 34:38, 43:30, 43:40 retired [1] - 31:35 revamp [1] - 64:16 revamped [1] - 64:21 revenue [17] - 5:5, 5:8, 9:8, 43:9, 43:11, 46:37, 47:25, 49:55, 50:18, 50:42, 51:4, 51:11, 51:14, 51:16, 54:12, 54:13 revenue-generating [1] - 47:25 reversed [1] - 34:30 revert [1] - 52:32 review [1] - 26:8 Review [2] - 1:29, 51:27 revise [1] - 33:38 revision [1] - 33:37 Reznick [1] - 38:48 RF [1] - 58:1 Rich [1] - 33:25 rid [1] - 18:48 Rights [4] - 3:31, 3:44, 3:52, 4:8 rights [1] - 4:10 rigorous [1] - 48:52 rings [1] - 24:39 risk [1] - 35:33 Road [2] - 4:53, 4:54</p>	<p>roads [1] - 13:28 roadway [1] - 48:31 Rob [1] - 53:43 robbed [2] - 43:25, 49:20 Robert [2] - 1:15, 1:26 Roberts [1] - 1:9 role [1] - 32:23 rolled [1] - 61:51 room [3] - 8:52, 13:42, 32:33 Rose [1] - 1:8 route [2] - 15:27, 27:45 routed [1] - 28:11 rude [1] - 18:8 rules [8] - 27:32, 33:37, 33:39, 33:41, 33:44, 33:52, 33:53, 39:10 run [2] - 38:21, 47:39 rundown [1] - 21:31 running [6] - 2:49, 9:7, 29:45, 47:12, 54:33, 64:35 runs [2] - 11:32, 49:4 RUTH [13] - 4:38, 4:44, 4:50, 5:33, 5:39, 5:51, 6:20, 6:32, 7:31, 7:47, 7:54, 8:4, 8:41 Ruth [4] - 1:46, 4:35, 6:13, 8:51</p>
S				
<p>safer [2] - 5:18, 13:28 SAFETY [1] - 1:1 safety [6] - 4:16, 5:18, 6:2, 8:28, 48:31, 60:31 Safety [2] - 1:7, 2:5 salary [2] - 47:41, 48:4 Salutation [1] - 2:9 save [1] - 26:27 saved [2] - 42:24, 48:17 saw [3] - 42:16, 42:27, 58:41 Scene [1] - 65:4 scene [6] - 10:50, 17:44, 17:45, 18:47, 43:40, 65:48 scenes [4] - 17:41, 22:11, 65:5, 65:46 school [3] - 2:39, 18:26 schools [3] - 18:24, 40:8, 44:3 scrutiny [1] - 48:8</p>				

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>seals [1] - 7:35 search [1] - 28:56 second [28] - 19:11, 32:48, 34:29, 40:37, 40:40, 40:43, 40:53, 40:56, 41:17, 43:49, 43:56, 56:26, 56:42, 57:2, 57:5, 60:56, 61:12, 63:27, 63:39, 63:49, 63:52, 66:29, 66:38, 66:41, 66:52, 66:55, 67:11, 67:16 seconded [2] - 55:50, 55:56 seconds [1] - 9:13 section [1] - 33:47 Section [3] - 26:47, 26:48, 65:5 secure [3] - 15:26, 15:28, 42:41 security [1] - 25:55 Security [3] - 66:47, 67:3, 67:4 see [35] - 3:11, 5:19, 8:32, 8:38, 10:8, 11:24, 11:39, 14:28, 16:23, 16:38, 17:43, 17:56, 19:21, 20:17, 27:18, 28:54, 29:1, 29:2, 29:32, 29:47, 33:6, 35:21, 35:24, 40:25, 41:49, 42:29, 47:49, 47:54, 49:18, 52:34, 54:30, 55:31, 55:44, 60:27 See [2] - 26:48, 27:24 seeing [1] - 42:46 seem [3] - 9:11, 42:17, 46:55 self [1] - 42:26 self-initiated [1] - 42:26 sell [1] - 15:8 Senator [1] - 15:18 send [7] - 2:50, 3:28, 28:15, 28:35, 47:43, 48:37, 54:46 sending [2] - 18:27, 22:1 senior [1] - 41:43 seniors [1] - 54:5 sense [4] - 16:42, 35:12, 41:31, 47:28 Sense [1] - 3:16 sent [9] - 5:48, 13:51, 16:50, 16:56, 17:5, 19:23, 26:11, 63:21, 63:45 separate [1] - 58:2 sergeants [1] - 32:55</p>	<p>Sergeants [1] - 36:11 serious [4] - 10:49, 20:29, 20:30, 27:39 served [1] - 19:42 servers [2] - 61:38, 62:13 service [7] - 15:39, 18:9, 41:44, 41:45, 44:16, 44:35, 62:32 Service [1] - 4:54 serviced [1] - 65:51 Services [4] - 1:38, 3:44, 4:10, 64:23 services [5] - 60:24, 65:7, 65:46, 66:17, 66:18 servicing [1] - 39:42 Session [3] - 15:50, 40:12, 67:16 session [1] - 2:34 set [3] - 16:49, 17:20, 33:38 setting [1] - 37:41 seven [2] - 32:41, 37:20 seven-day-a-week [1] - 32:41 Seventh [1] - 39:50 seventy [1] - 31:17 seventy-five [1] - 31:17 several [3] - 20:15, 54:20, 64:28 severely [1] - 43:3 shape [1] - 18:40 share [4] - 2:27, 62:33, 62:34, 62:42 shared [1] - 60:24 sharing [2] - 61:39, 61:52 Sharkey [2] - 1:34, 40:25 Sheriff's [5] - 1:34, 40:28, 40:31, 60:30, 66:33 Sheriff/Suffolk [1] - 1:34 Sherman [1] - 9:2 sherman [1] - 1:47 shift [2] - 32:39, 48:37 shifts [2] - 48:13, 51:56 shine [1] - 49:7 shoot [2] - 65:3, 65:42 shooting [4] - 17:35, 21:56, 22:1, 22:2 short [3] - 5:2, 9:12, 30:35 short-cycling [1] - 9:12</p>	<p>shortened [1] - 5:5 shortly [1] - 8:34 ShotSpotter [1] - 48:49 shoulder [1] - 29:30 show [9] - 15:38, 17:29, 29:48, 29:49, 41:7, 53:12, 53:16, 54:20, 54:23 showed [2] - 53:12, 53:34 showing [2] - 32:13, 54:16 shown [1] - 54:32 shows [3] - 41:55, 52:19, 52:38 shut [3] - 54:48, 54:53, 55:17 sick [10] - 19:3, 19:4, 30:22, 30:28, 30:37, 37:12, 37:13, 37:14, 37:15 side [6] - 17:39, 22:8, 22:18, 22:29, 34:36 sign [4] - 17:56, 25:40, 26:6, 39:45 signal [8] - 4:51, 4:53, 5:7, 5:25, 5:56, 6:24, 9:16, 9:30 Signal [1] - 9:3 signature [1] - 8:5 significant [6] - 21:3, 42:18, 42:23, 46:22, 53:53, 60:15 signing [1] - 26:9 signs [4] - 15:28, 15:29, 17:50, 49:35 silence [1] - 2:11 Silence [1] - 2:14 silo'd [1] - 62:41 similar [3] - 28:55, 42:28, 44:52 simply [1] - 9:10 Sini [1] - 16:12 sit [1] - 8:24 Site [1] - 56:47 site [1] - 56:48 sites [6] - 57:24, 57:25, 57:26, 58:12, 58:17, 58:22 situation [2] - 49:1, 55:16 sixth [1] - 28:32 size [1] - 36:4 skyrocketed [1] - 5:22 SLR [1] - 65:4 SLRs [1] - 65:44 small [7] - 23:50, 29:27, 29:34, 36:40, 48:39, 62:51, 62:52</p>	<p>smile [2] - 5:23, 6:6 smiling [1] - 6:10 Smith [2] - 2:45, 2:49 Smithtown [1] - 1:10 Social [1] - 3:32 society [1] - 3:40 software [5] - 43:14, 47:42, 49:43, 61:38, 62:12 solution [1] - 53:48 solve [1] - 62:14 someone [20] - 5:23, 10:48, 18:45, 24:14, 26:40, 31:46, 35:36, 35:37, 42:41, 48:48, 48:53, 48:55, 49:19, 49:21, 49:31, 49:45, 49:46, 49:47, 52:52, 53:23 something's [1] - 24:19 sometimes [12] - 3:18, 19:36, 25:22, 25:23, 26:2, 27:42, 27:44, 33:26, 35:1, 35:2, 36:22, 39:46 somewhere [3] - 38:3, 65:2, 65:24 soon [1] - 16:47 sorry [11] - 2:11, 8:33, 19:9, 19:24, 20:19, 31:24, 38:33, 44:23, 61:17, 61:48, 63:52 sort [3] - 14:50, 47:25, 62:25 soul [1] - 2:54 sounds [2] - 31:17, 33:9 Southampton [4] - 2:45, 2:50, 32:25, 58:35 Southern [1] - 39:3 Southold [1] - 58:40 span [1] - 59:25 Spanish [12] - 16:43, 17:14, 17:51, 18:13, 18:15, 18:18, 18:19, 18:49, 23:19, 23:31 Spanish-speaker [3] - 18:15, 18:49, 23:31 speaker [3] - 18:15, 18:49, 23:31 speaking [7] - 17:8, 18:13, 23:19, 38:56, 48:25, 49:22, 64:32 spearheading [1] - 60:20 special [1] - 37:15 specific [2] - 11:20, 61:48</p>	<p>specifically [3] - 10:3, 58:11, 59:39 specifications [1] - 10:4 specs [5] - 19:42, 19:44, 27:27, 27:39, 27:41 speech [7] - 2:48, 2:53, 3:3, 3:12, 3:17, 3:24, 3:29 speed [1] - 60:35 speeding [1] - 39:45 Spencer [6] - 1:21, 1:32, 46:1, 52:20, 56:36, 61:2 spending [1] - 32:21 split [1] - 32:40 spoken [3] - 2:43, 48:26, 57:20 spot [1] - 23:44 spouse [1] - 37:13 Squad [4] - 17:54, 22:14, 22:15, 22:26 squad [1] - 35:55 staff [2] - 47:39, 47:41 staffed [2] - 16:13, 16:14 stake [1] - 4:18 stamp [3] - 8:5, 8:16, 26:11 stamped [1] - 8:2 stamps [1] - 7:35 stand [3] - 2:11, 32:48, 43:56 stands [1] - 16:45 start [5] - 2:5, 2:6, 2:17, 4:42, 65:42 started [6] - 18:5, 18:9, 36:48, 42:13, 50:4, 58:15 State [3] - 10:21, 10:54, 47:33 state [3] - 3:23, 36:1, 53:46 States [3] - 56:31, 66:46, 67:3 stating [2] - 16:51, 17:7 station [19] - 5:2, 43:23, 43:32, 43:33, 43:37, 44:24, 44:28, 44:29, 44:34, 44:35, 51:34, 51:47, 51:55, 53:10, 53:11, 53:16, 53:26, 54:1 stations [2] - 5:3, 44:15 statistics [3] - 7:8, 29:10, 29:19 stats [1] - 18:33</p>
---	---	---	---	--

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>status [1] - 47:34 statute [2] - 20:29, 25:14 steal [1] - 5:26 Stenographer [1] - 1:51 Stephen [1] - 1:46 Steven [1] - 1:45 stick [2] - 63:20, 63:29 still [22] - 5:46, 6:56, 15:24, 16:56, 17:5, 19:16, 20:28, 20:53, 20:56, 21:3, 21:28, 26:34, 42:48, 44:41, 45:24, 46:20, 46:23, 54:43, 56:25, 58:17, 65:47 stone [1] - 34:50 Stop [2] - 2:34, 3:37 stop [2] - 35:4, 39:45 stopped [1] - 47:47 store [2] - 14:4, 14:47 straight [1] - 48:42 strategic [1] - 10:48 strategy [1] - 48:39 streets [1] - 3:20 strict [1] - 49:26 strides [2] - 18:38, 18:41 strike [1] - 54:54 strong [1] - 18:41 struck [1] - 48:7 structured [1] - 55:2 Stuart [1] - 1:35 student [2] - 2:39, 3:37 study [1] - 59:22 stuff [9] - 7:35, 7:44, 18:42, 19:6, 26:26, 31:47, 33:45, 64:30, 65:53 stupid [3] - 33:3, 33:9, 54:51 subject [1] - 52:33 subordinate [1] - 35:38 subsequent [1] - 50:31 subsequently [1] - 49:20 substantiate [2] - 35:3, 35:9 substantiated [7] - 19:38, 19:43, 27:32, 33:23, 34:28, 34:30, 35:15 success [2] - 42:55, 46:50 successful [6] - 18:16, 18:28, 19:12,</p>	<p>42:12, 42:33, 44:51 SUFFOLK [1] - 1:5 Suffolk [17] - 1:7, 3:11, 3:31, 3:33, 8:43, 9:2, 9:55, 13:14, 15:27, 29:40, 31:24, 38:50, 39:41, 44:8, 51:52, 56:33, 61:37 summons [1] - 48:22 superior [1] - 35:54 supervised [1] - 35:51 supervisor [2] - 17:18, 35:38 Supervisor [1] - 17:45 supervisors [1] - 62:31 supplies [4] - 14:4, 14:23, 14:43, 15:23 support [5] - 41:7, 45:55, 65:6, 66:45, 67:5 supporting [1] - 53:47 supports [1] - 57:55 supposed [3] - 5:18, 17:29, 37:48 supposedly [1] - 30:37 surveillances [1] - 30:51 surveys [1] - 7:38 suspect [1] - 49:3 Sutton [1] - 1:31 swastika [1] - 2:39 sweep [1] - 49:5 swipe [5] - 25:56, 26:4, 26:5 switching [1] - 33:2 symbols [2] - 2:43, 3:39 system [19] - 9:8, 9:9, 16:46, 28:52, 44:24, 48:55, 52:53, 53:1, 54:7, 54:18, 54:19, 54:29, 55:2, 58:2, 58:5, 58:34, 58:36, 58:37, 60:32 System [2] - 1:43, 56:47 systems [6] - 7:49, 43:31, 44:7, 44:43, 45:1, 54:17 Systems [1] - 61:5</p>	<p>56:27 tabled [3] - 40:34, 56:10, 56:27 tabling [1] - 55:56 tail [1] - 43:10 talented [2] - 42:24, 48:25 tampered [2] - 26:30, 52:23 targeting [1] - 58:42 task [2] - 3:25, 3:34 Task [2] - 3:32, 56:34 tax [2] - 45:56, 47:24 taxpayer [1] - 33:9 taxpayers [1] - 33:14 teaching [1] - 2:34 Team [9] - 17:33, 17:34, 17:37, 21:45, 21:48, 21:51, 22:16, 28:49, 28:54 team [3] - 32:48, 35:45 technical [1] - 66:18 Technician [1] - 9:4 technician [5] - 4:52, 5:7, 5:25, 6:24, 9:30 Technologies [1] - 61:5 technology [1] - 44:56 Technology [2] - 1:41, 61:24 teenagers [1] - 2:41 ten [5] - 16:17, 25:16, 28:55, 35:22, 64:17 tenure [1] - 58:15 term [2] - 32:28, 32:30 Terminals [1] - 63:32 terms [4] - 24:18, 32:4, 32:5, 46:22 terrific [2] - 31:33, 31:35 test [2] - 24:32, 24:41 testify [1] - 6:25 THE [1] - 1:3 themselves [1] - 62:18 theoretically [1] - 43:37 there'll [2] - 18:40, 39:11 therefore [1] - 50:43 they've [2] - 65:51, 65:52 thinking [2] - 35:20, 48:53 third [1] - 55:3 thoroughly [1] - 34:49 threatened [1] - 24:20 three [15] - 4:55, 5:23, 5:25, 9:13, 10:51, 12:3, 16:15, 17:50, 18:26, 22:12, 28:55,</p>	<p>54:56, 55:19, 55:26, 56:10 three-foot [1] - 17:50 three-week [1] - 18:26 throughout [1] - 64:22 throw [1] - 7:39 Thursday [1] - 1:10 ticket [2] - 39:46, 41:39 timeline [1] - 62:54 timelines [1] - 18:22 timely [1] - 54:27 timing [4] - 9:36, 10:15, 10:22, 10:36 tip [3] - 17:18, 17:19, 17:21 tired [1] - 64:34 today [8] - 2:28, 2:42, 3:26, 3:36, 9:4, 51:21, 65:13, 65:35 today's [1] - 2:39 together [3] - 35:52, 38:50, 60:29 Tom [4] - 1:16, 22:44, 46:13, 51:30 tone [1] - 40:8 took [3] - 8:44, 31:10, 38:56 tool [2] - 24:29 top [2] - 7:36, 19:46 total [4] - 12:32, 44:1, 50:3, 50:7 totally [1] - 17:21 touch [2] - 7:14, 41:41 Tour [1] - 36:21 tour [2] - 37:28, 37:36 tours [1] - 38:3 tower [6] - 58:12, 58:13, 58:23, 59:18, 59:20, 59:24 towers [3] - 57:25, 58:1, 59:3 Town [2] - 10:54, 32:25 town [4] - 3:2, 3:18, 3:20, 3:23 towns [2] - 3:31, 62:32 TPVA [1] - 11:32 track [2] - 28:39, 28:45 traditional [1] - 64:19 traditionally [1] - 4:8 Traffic [2] - 9:3, 45:53 traffic [16] - 4:51, 4:53, 5:7, 5:25, 5:56, 6:16, 6:24, 9:29, 10:33, 10:36, 10:45, 10:56, 11:3, 11:9, 48:22, 48:23 trained [1] - 18:27 training [9] - 18:22,</p>	<p>18:23, 18:29, 24:29, 29:7, 31:49, 41:6, 41:8, 66:19 transfer [1] - 66:33 transform [1] - 49:41 transitioned [1] - 64:18 translate [3] - 48:12, 48:34, 48:39 treated [4] - 23:5, 24:14, 39:47, 41:42 treating [4] - 18:7, 24:18, 25:3, 35:22 tremendous [5] - 18:38, 29:27, 29:33, 32:39, 38:41 trend [1] - 27:13 tried [1] - 54:9 trigger [1] - 49:3 trim [1] - 33:14 Trotta [2] - 1:26, 25:22 Trotta [1] - 56:19 troubling [1] - 7:22 true [8] - 25:32, 35:24, 47:22, 47:28, 47:29, 47:35, 47:44, 48:54 trunked [1] - 58:37 Trustee/PBA [1] - 1:39 try [15] - 3:53, 13:50, 16:49, 19:11, 37:41, 37:50, 38:2, 39:6, 48:22, 54:55, 58:5, 58:26, 59:19, 60:22, 60:31 trying [14] - 15:16, 26:17, 27:25, 33:14, 45:48, 53:48, 53:49, 58:9, 59:18, 59:19, 60:14, 63:44, 64:16, 64:35 Turano [1] - 1:30 turn [2] - 33:34, 62:33 turned [1] - 22:51 TVB [1] - 7:10 TVPA [1] - 6:22 twice [3] - 16:31, 49:47, 54:54 two [25] - 17:40, 17:50, 19:23, 22:12, 27:36, 30:38, 30:45, 31:17, 41:34, 41:45, 44:20, 46:54, 47:29, 49:19, 49:28, 50:41, 54:47, 55:2, 55:34, 58:9, 58:11, 58:14, 63:2, 65:46 Two [1] - 36:21 two-foot [1] - 17:50 two-year [2] - 46:54, 50:41</p>
	<p>T</p>			
<p>table [7] - 40:44, 40:53, 53:47, 55:48, 55:49, 56:4, 56:25 Tabled [2] - 56:11,</p>				

INDEX

[Occurrence of Word] - Page Number:Line Number

<p>type [9] - 14:44, 17:46, 23:51, 33:22, 35:56, 36:28, 38:13, 39:7, 64:29 types [1] - 44:2 typically [1] - 60:22</p>	<p>50:25, 52:19, 53:7, 53:12, 53:16, 53:34, 54:20, 54:23, 55:38, 60:35, 60:36, 60:37, 65:44 update [4] - 15:55, 16:11, 42:35, 47:35 updated [2] - 42:37, 63:7 updates [1] - 43:15 updating [2] - 33:47, 39:30 upgrade [3] - 58:36, 60:13, 61:37 upgrades [1] - 44:56 Upgrades [1] - 61:5 upgrading [1] - 33:47 upset [1] - 39:45 urban [1] - 25:21 urge [1] - 3:20 usage [1] - 54:5 useful [1] - 59:22 users [1] - 60:32 uses [1] - 65:5 utilize [1] - 65:44 utilizing [1] - 65:49</p>	<p>29:48, 32:13, 42:53, 42:55, 52:43, 65:48 video/audio [1] - 23:2 videotape [2] - 18:12, 29:30 view [1] - 5:53 viewed [1] - 26:31 Village [1] - 58:35 violation [1] - 27:33 violations [1] - 13:9 violence [1] - 38:19 visible [1] - 52:24 visit [5] - 16:21, 23:34, 48:19, 58:40, 58:41 visitors [1] - 22:53 visits [1] - 23:43 volume [1] - 54:22 Vote [10] - 56:11, 56:27, 56:44, 61:1, 63:28, 63:40, 66:30, 66:42, 66:56, 67:12 vulnerable [1] - 24:22</p>	<p>18:33, 18:35 Weinschenk [1] - 33:25 welcome [4] - 2:5, 58:52, 59:31, 63:17 welcomed [1] - 24:23 welcoming [1] - 25:3 well-being [3] - 4:16, 4:17, 4:18 West [1] - 43:3 Westhampton [1] - 61:45 whatnot [1] - 64:33 white [1] - 5:19 Whoa [1] - 24:40 whole [1] - 62:5 William [2] - 1:9, 1:21 Williams [5] - 1:38, 13:45, 60:9, 60:21, 60:26 WILLIAMS [7] - 13:53, 14:40, 14:53, 15:6, 15:21, 15:37, 15:44 willing [2] - 15:8, 62:33 window [15] - 20:33, 26:1, 49:2, 49:4, 49:32, 49:46, 52:21, 52:23, 52:52, 54:48, 54:52, 55:17, 55:18 windows [1] - 52:55 winds [1] - 19:52 wish [5] - 3:16, 3:23, 21:32, 55:45, 56:10 wives [1] - 36:29 women [3] - 3:30, 16:18, 31:32 wondering [3] - 27:7, 32:24, 33:6 word [4] - 2:45, 2:47, 35:6, 51:9 words [3] - 2:43, 3:38, 4:19 Workers [1] - 29:38 workers [2] - 9:9, 9:17 workplace [1] - 38:19 works [4] - 27:48, 38:27, 53:26, 54:30 world [1] - 3:11 worry [1] - 51:10 worth [3] - 14:23, 54:18, 64:29 wow [1] - 32:3 write [4] - 3:38, 29:52, 30:34, 48:22 writes [1] - 27:41 writing [1] - 37:2 written [3] - 2:43, 29:53, 35:48</p>	<h2 style="margin: 0;">Y</h2> <p>Yaphank [1] - 58:13 yard [1] - 29:46 year [63] - 4:9, 13:10, 13:14, 14:9, 14:16, 14:20, 16:13, 16:16, 16:18, 16:31, 16:39, 18:36, 18:39, 19:2, 19:16, 19:17, 20:17, 21:31, 28:19, 37:20, 41:12, 42:13, 42:27, 43:7, 43:19, 43:35, 46:51, 46:54, 47:46, 50:17, 50:22, 50:25, 50:40, 50:41, 50:43, 50:47, 50:53, 51:3, 51:10, 51:13, 53:50, 53:52, 53:55, 54:2, 54:6, 54:10, 54:12, 54:13, 55:3, 55:7, 55:10, 55:19, 55:27, 55:34, 58:26, 58:45, 61:51, 63:2 year-and-a-half [2] - 53:50, 63:2 year-to-date [1] - 42:13 yearly [1] - 41:33 years [25] - 2:55, 9:3, 14:10, 14:17, 15:17, 16:17, 21:28, 25:16, 34:28, 35:34, 36:45, 36:47, 36:48, 36:55, 41:34, 41:45, 47:29, 50:19, 50:31, 51:13, 55:34, 59:21, 63:2, 64:17, 64:28 yellow [4] - 5:2, 9:12, 9:16, 9:18 yes [1] - 3:47 yield [1] - 46:4 York [2] - 1:10, 18:25 young [2] - 2:42, 2:50 yourself [2] - 36:35, 47:28</p>
<h2 style="margin: 0;">U</h2>	<h2 style="margin: 0;">V</h2>	<h2 style="margin: 0;">W</h2>	<h2 style="margin: 0;">Z</h2>	
<p>uh-oh [1] - 19:30 ultimately [1] - 43:8 unacceptable [4] - 3:19, 3:30, 3:38, 3:39 unclear [1] - 53:17 unconcerned [1] - 12:8 under [16] - 2:47, 3:12, 3:44, 4:8, 4:10, 4:22, 9:10, 13:17, 13:54, 20:37, 26:47, 29:10, 31:34, 47:45, 53:37 undercover [2] - 18:10, 18:11 undergone [1] - 48:8 unfair [1] - 41:32 unfairly [1] - 41:42 unfortunately [2] - 3:18, 27:24 unintended [1] - 46:55 union [1] - 54:41 unit [4] - 29:27, 29:34, 31:53, 64:33 Unit [7] - 19:1, 29:10, 29:19, 31:52, 32:36, 33:40, 65:47 United [3] - 56:31, 66:46, 67:3 Units [1] - 65:4 unless [1] - 50:52 unsecured [2] - 42:40, 42:42 unsubstantiated [4] - 19:53, 34:30, 48:50, 49:17 unturned [1] - 34:50 up [56] - 3:51, 7:32, 8:53, 13:8, 13:9, 13:11, 13:18, 13:27, 13:47, 16:49, 17:20, 17:52, 18:25, 18:39, 19:4, 19:17, 19:22, 19:52, 22:10, 27:25, 27:37, 27:41, 27:43, 28:52, 31:10, 31:51, 32:32, 32:37, 32:40, 32:48, 33:27, 37:42, 38:3, 39:6, 40:13, 47:12, 47:55, 48:11, 48:29, 48:51, 50:19,</p>	<p>Valerie [2] - 2:45, 2:49 valid [3] - 8:15, 41:51, 48:5 validate [1] - 8:25 various [3] - 2:55, 51:52, 62:31 vast [1] - 21:52 vehicle [12] - 10:49, 10:50, 11:41, 12:15, 12:16, 12:32, 12:36, 13:10, 13:26, 22:11, 22:12, 42:48 vehicles [1] - 14:43 Vehicles [1] - 63:32 vendor [1] - 5:14 vendors [1] - 66:17 verification [2] - 42:53, 42:55 verifies [1] - 43:2 verify [1] - 51:39 versus [3] - 27:27, 27:50, 43:31 vertical [1] - 59:20 Veterans [1] - 1:10 vetted [1] - 38:55 Vetter [1] - 60:21 vexing [1] - 42:40 Vice [1] - 1:15 vicinity [1] - 65:2 video [11] - 4:52, 23:44, 29:29, 29:31,</p>	<p>wait [2] - 7:44, 47:20 walk [9] - 22:50, 24:19, 26:1, 26:5, 49:10, 49:34, 52:26, 52:27, 55:18 walk-around [1] - 52:26 walked [1] - 52:38 walks [1] - 24:21 walled [1] - 17:40 wants [4] - 15:29, 19:34, 39:43, 39:44 warehouse [5] - 14:3, 14:6, 14:42, 14:46, 15:22 warning [1] - 51:9 waste [1] - 12:32 wasting [1] - 12:26 watch [2] - 32:10, 42:41 watched [1] - 32:11 watching [6] - 21:52, 24:48, 25:46, 28:46, 29:40, 29:45 water [1] - 14:43 Ways [5] - 13:48, 13:49, 13:54, 14:31, 33:5 ways [1] - 53:51 wearing [1] - 18:12 Webber [1] - 62:30 week [3] - 18:26, 32:41, 44:17 weekends [1] - 36:29 weekly [3] - 18:32,</p>	<p>zip [6] - 27:6, 27:13, 34:4, 39:19, 39:20</p>	